

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Interim Application No.62 of 2025

In

Criminal Revision Application No.4 of 2025

Kiran Sadashiv Patil

Age-46 years, Occupation-Doctor,

R/a- Village Kadgaon, Taluka

Gadhinglaj, District Kolhapur

... Applicant

versus

The State of Maharashtra

... Respondent

Mr Tejas Hilage, for the applicant.

Ms Manisha Tidke, APP, for the respondent/ State.

Coram: R.N. Laddha, J.

Date: 12 February 2025.

P.C.:

By a judgment and order dated 27 December 2024 in Criminal Appeal No.3 of 2022, the learned Additional Sessions Judge maintained the applicant's conviction under Sections 279, 337 and 304(A) of the Indian Penal Code and Section 184 of the Motor Vehicle Act, 1988, and acquitted him of the offence under Section 338 and 420 of the Indian Penal Code. Dissatisfied, the applicant preferred a revision application before this Court, and by the present application, the applicant seeks suspension of sentence and his release on bail.

2. I have heard Mr Tejas Hilage, the learned Counsel appearing on behalf of the applicant, and Ms Manisha Tidke, the learned Additional Public Prosecutor representing the respondent/ State.

3. Mr Tejas Hilage, the learned Counsel appearing on behalf of the applicant, highlighting the alleged deficiencies in the prosecution's case, submits that the trial Court failed to appreciate the evidence of the eyewitnesses. The applicant was on bail during the pendency of the trial and the appeal. The applicant is ready to abide by all the conditions this Court imposes if released on bail.

4. Ms Manisha Tidke, the learned Additional Public Prosecutor representing respondent No.1/ State, opposing the applicant's request, submits that the evidence on record strongly supports the prosecution's case and does not warrant suspension of the sentence and the applicant's release on bail.

5. In the present case, the applicant is required to undergo maximum simple imprisonment for three months. During the pendency of the trial and the appeal, the applicant was on bail. The revision has been filed in 2025 and is unlikely to be heard in the near future. Moreover, the eyewitness in the incident

does not support the prosecution's case. Considering the nature of the accusations and the short term of the sentence, a *prima facie* case is made out for granting the applicant the relief of suspension of sentence pending the revision. In the light of these circumstances, and without expressing any opinion on the merits of the case, the applicant is entitled to be released on bail. Hence, the following order:

ORDER

(i) The sentence imposed upon the applicant by the judgment and order dated 14 February 2022 passed by the learned Judicial Magistrate First Class, Gadhinglaj, Kolhapur, in SCC No.15 of 2017, and modified by the learned Additional Sessions Judge, Gadhinglaj, Kolhapur, vide judgment and order dated 27 December 2024, in Criminal Appeal No.3 of 2022, stands suspended during the pendency of the revision and the applicant shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

6. The application stands disposed of accordingly.

(R.N. Laddha, J.)