

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 667 OF 2025

IN

CRIMINAL APPEAL NO. 160 OF 2025

Ashok Ramchandra Kamble

... Appellant
/Applicant

Versus

State of Maharashtra

... Respondent

SONALI
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KILAJE

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Mr. Satyajeet Shirke, Advocate for the Applicant.

Mr. Ashok Gawai, APP for the State.

CORAM : SHIVKUMAR DIGE, J.

DATED : 3rd APRIL, 2025.

P. C. :

1. This is an application for suspension of sentence and bail.
2. Heard learned counsel for the applicant and learned APP for the State.
3. The applicant has been convicted by the learned Special Court for the offence punishable under Section 353 of the Indian Penal Code, 1860 (for short "I.P.C.") and sentenced to suffer simple imprisonment till rising the Court and to pay fine of Rs.3,000/- in default of payment of fine, he shall undergo simple imprisonment for two months vide Section 235(2) of the Code of Criminal Procedure (for short "Cr.P.C."). The applicant is convicted for the offence punishable under Section 332 of the I.P.C. and

sentenced to suffer simple imprisonment till rising the Court and to pay fine of Rs.2,000/- in default of payment of fine, he shall undergo simple imprisonment for two months vide Section 235(2) of the Cr.P.C. The Applicant is convicted for the offence punishable under Section 323 of the I.P.C. and sentenced to suffer simple imprisonment till rising the Court and to pay fine of Rs.500/- in default of payment of fine, he shall undergo simple imprisonment for 15 days vide Section 235(2) of the Cr.P.C.

4. It is contention of learned counsel for the applicant that the Trial Court has granted bail and suspended sentence of the applicant till filing appeal. During the trial the applicant was on bail. The applicant has not misused the liberty. The applicant is not a habitual offence, hence requested to allow the application.

5. Learned APP strongly objected to allow the application.

6. I have heard both the learned counsel. The sentence imposed on the applicant is short term sentence. The Trial Court has granted bail to the applicant and suspended his sentence till filing the appeal. During the trial the applicant was on bail. The family of the applicant are entirely depending upon the applicant. It may take time to dispose of the appeal.

7. In view of above, I pass following order.

ORDER

i. The substantive sentence imposed on the

applicant in Sessions Case No. 11 of 2021 is suspended till disposal of the appeal.

- ii. The applicant be enlarged on bail on furnishing PR.Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
 - iii. The bail bond to be furnished before the Trial Court.
8. Interim application stands disposed of.
9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)