

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.710 OF 2025
IN
CRIMINAL APPEAL NO.176 OF 2025

1. Vitthal Tukaram Pawar	...Applicants
2. Mangal Vitthal Pawar	
<i>Versus</i>	
The State of Maharashtra	...Respondents

Mr. Aniket Vagal a/w Ms. Savvy Kolhekar, Ms. Juhi Kadu, Mr. Kunal Pednekar, for the Applicants.

Mr. S.H. Yadav, APP, for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED: 10 JULY 2025

P.C.:

1. Heard Mr. Aniket Vagal, learned Counsel for the Applicants and Mr. S. H. Yadav, learned APP for the Respondent-State.
2. The challenge in Criminal Appeal No.176 of 2025 is to the legality and validity of the Order dated 30th January 2025 passed by the learned Additional Sessions Judge, Pune in Sessions Case No.924 of 2013. By the said Judgment and Order, Applicant No.1 - Vitthal Tukaram Pawar i.e. Accused No.2 and Applicant No.2 - Mangal Vitthal Pawar i.e. Accused no.3 are convicted for the offence punishable under section 498-A of the *Indian Penal Code, 1860* ("IPC") and they are sentenced to suffer rigorous imprisonment for three years and to pay fine of

Rs.3,000/- each and in default of payment of fine, to undergo simple imprisonment for one month. They are also convicted for the offence punishable under Section 304B of IPC and they are sentenced to suffer rigorous imprisonment for seven years and to pay fine of Rs.5,000/- and in default of payment of fine, to undergo simple imprisonment for one month.

3. Mr. Vagal, learned counsel for the Applicants, submits that Criminal Appeal No.176 of 2025 filed by the Applicants has already been admitted by order dated 3rd July 2025. There are arguable points raised in the Criminal Appeal. He further submits that Applicant No.1 - Vithal Tukaram Pawar is a senior citizen of 72 years and Applicant No.2 - Managal Vithal Pawar is a senior citizen of 68 years. He states that both the Applicants are suffering from various diseases. The Criminal Appeal will take considerable time for final hearing.

4. Mr. Yadav, learned APP strongly opposed the bail application.

5. However, both the Applicants are senior citizens, aged 72 and 68 years, respectively. Applicant No.2 is a woman. Both the Applicants are suffering from various diseases. Thus, the case is made out for grant of bail and suspension of sentence during the pendency of the Criminal Appeal.

6. Accordingly, the Applicants can be enlarged on bail by imposing conditions. In view thereof, the following Order:

ORDER

- (a) The sentence of imprisonment imposed vide Judgment and Order dated 30 January 2025 passed by the learned Additional Sessions Judge, Pune in Sessions Case No.924 of 2013 is suspended as far as the Applicant No.1 - Vitthal Tukaram Pawar and Applicant No.2 - Mangal Vitthal Pawar are concerned during the pendency of Criminal Appeal No.176 of 2025 preferred by the Applicants and the Applicants are directed to be released on bail on executing PR Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount to be furnished by each of them;
- (b) On being released on bail, the Applicants shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- 7.** Accordingly, the Interim Application is allowed in the aforesaid terms and disposed of.

[MADHAV J. JAMDAR, J.]