

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1058 OF 2025****IN****CRIMINAL APPEAL NO. 347 OF 2025**

Mukesh Gopal Sabale

... Applicant

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Aniket Vagal a/w Adv. Savvy Kolhekar and Ms. Juhi Kadu for Applicant.
Mr. Ashish I. Satpute, A.P.P. for Respondent-State.

**CORAM : A. S. GADKARI AND
RANJITSINHA RAJA BHONSALE, JJ.**
DATE : 17th December 2025

P.C. :

- 1) This is an Application for suspension of sentence and releasing the Applicant on bail during the pendency of Appeal.
- 2) Applicant is convicted under Sections 302 and 309 of the Indian Penal Code (IPC) and sentenced to undergo life imprisonment with a fine of Rs. 5,000/-, by the learned Additional Sessions Judge, Niphad, in Sessions Case No. 68 of 2014, by its Judgment and Order dated 21st December 2024.
- 3) The Nominal Roll produced by the learned APP indicates that, as of today, the Applicant has undergone 11 years 8 months and 28 days of actual incarceration as of today. Taking into consideration the pendency

before this Court, the chances of hearing of the Appeal preferred by the Applicant on merits in near future are remote.

4) In view of the observations made by the Hon'ble Supreme Court in the cases of *Saudan Singh Vs. State of Uttar Pradesh, reported in 2022 SCC OnLine SC 697* and *Suleman Vs. The State of Uttar Pradesh, in Miscellaneous Application No. 764 of 2022*, dated 15th September 2022, as the Applicant has already undergone about 11 years 8 months and 28 days of actual imprisonment and there is no chance of hearing his substantive Appeal in the near future, the substantive sentence imposed upon the Applicant can be suspended and he can be released on bail.

5) Hence, the following Order :-

- [i] During the pendency of Appeal preferred by the Applicant, the substantive sentence imposed upon the Applicant vide Judgment and Order dated 21st December 2024, passed by the learned Additional Sessions Judge, Niphad, in Sessions Case No. 68 of 2014, is suspended and the Applicant be released on bail on his furnishing PR bond of Rs. 50,000/- with one or two local sureties in the like amount.
- [ii] After his release from jail, the Applicant shall attend the Lasalgaon Police Station, Taluka Niphad District Nashik, on every first Monday of each month between 11.00 a.m. and 1.00 p.m. initially for a period of one year and thereafter on every

first Monday between 11.00 a.m. and 1.00 p.m. of every third calender month i.e. four times in a year till the disposal of Appeal.

- 6) Application is allowed in the aforesaid terms.

(RANJITSINHA RAJA BHONSALE, J.)

(A.S. GADKARI, J.)