

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL INTERIM APPLICATION NO. 1133 OF 2025
IN
CRIMINAL APPEAL NO. 301 OF 2025

Jagannath Sampatrao More Applicant

Versus

The State of Maharashtra Respondent

Adv. Aakansha Yadav a/w Mr. Rohan P. Gaikwad i/b Mr. Sandeep D. Shinde, Advocate for the Applicant.

Mr. Prasanna P. Malshe, APP, for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th APRIL, 2025.

P.C. :

1. Heard learned counsel for the Applicant and learned APP for the State.
2. By this application, the Applicant is seeking suspension of sentence during the pendency of the appeal.
3. Learned counsel for the Applicant submits that the Applicant has been charged for the offences punishable under Sections 353, 332 and 337 of the Indian Penal Code, 1860 (for short “IPC”). The Additional Sessions Judge, Niphad, District : Nashik has

released the Applicant under Probation of Offenders Act, 1958, on his entering into a bond in the sum of Rs.15,000/- with one surety in the like amount to appear and receive sentence whenever called upon by this Court within a period of one year and in the meantime to keep the peace and be of good behaviour. The Applicant is directed to pay compensation amount of Rs.5,00,000/- to the first informant. Learned counsel further submitted that the Applicant is poor farmer and he is not in a position to pay amount of Rs.5,00,000/-, he has challenged the impugned judgment and order, hence, requested for suspension of sentence.

4. Learned APP for the State strongly objected to allow the application.

5. The Applicant has been released on Probation of Offenders Act, but he has challenged the said order along with direction of payment of compensation amount. During the trial, the Applicant was on bail and he has not misused the liberty. It may take time to dispose of the appeal.

6. In view of the above, the Applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of the appeal, on the following terms and conditions.

ORDER

- i. The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.
 - ii. The bail bond to be furnished before the trial Court.
 - iii. The direction of the trial Court regarding payment of compensation of Rs.5,00,000/- is stayed till final disposal of the appeal.
7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)