

Ashish

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

**INTERIM APPLICATION NO. 2492 OF 2025
IN
CRIMINAL REVISION APPLICATION NO. 608 OF 2024**

Suraj Parshuram Koli	... Applicant
V/s.	
The State of Maharashtra	... Respondent

Mr. Shantanu Kadam for the applicant.

Mrs. Mahalakshmi Ganapathy, APP for respondent –
State.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 16, 2025

P.C.:

1. This is an application seeking suspension of sentence in a revision preferred against conviction under Section 353 of the Indian Penal Code. The offence under Section 353 relates to assault or use of criminal force to deter a public servant from discharge of duty. It is settled law that while considering suspension of sentence, the Court must weigh the gravity of the act, the manner in which the incident occurred, and the extent of harm caused to the complainant.

2. In the present case, from the narration of the incident by the prosecution witnesses, it is clear that no deadly weapon was used by the applicant. The evidence further indicates that the applicant did not cause any grievous or life-threatening injury to the

complainant. The incident appears to be one of sudden provocation rather than premeditated attack. The nature of allegations and the role attributed to the applicant do not disclose such degree of violence as would require his continued incarceration pending revision.

3. In such circumstances, the Court is of the opinion that the applicant has made out a case for grant of interim protection by suspending the sentence, subject to imposition of conditions to secure his presence and to safeguard the prosecution's interest.

4. Hence, by way of interim relief, the following order is passed in terms of prayer clause (a):

(a) The applicant shall be released on regular bail in connection with Sessions Case No. 03 of 2021, upon furnishing a PR bond of Rs. 5,000/- (Rupees Five Thousand only) with one or more sureties in the like amount, to the satisfaction of the Trial Court.

(b) At the time of furnishing surety, the applicant shall provide his current residential address and mobile number to the Investigating Officer as well as the Trial Court. Any subsequent change in residence or contact details shall be intimated to the Trial Court in writing during the pendency of the proceedings.

5. The Interim application is disposed of.

(AMIT BORKAR, J.)