

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

Interim Application No.2761 of 2025

In

Criminal Revision Application No.308 of 2025

Sanjay Rangrao Patil
Age-45 years, Occu-Ex-Army,
R/o-Belewadi Kalamma,
Tal-Kagal, Dist-Kolhapur
(At present lodged in Kolhapur
Central Prison, Kolhapur)

... Applicant
(Org. Accused)

versus

The State of Maharashtra

... Respondent

Mr Anand S Patil, for the applicant.

Mr SM Mangaonkar, APP, for the respondent/ State.

Coram : R.N. Laddha, J.

Date : 11 August 2025

P.C.:

The applicant (accused No.1) faced trial in RCC No.11 of 2014 before the Judicial Magistrate First Class, Ajara, Kolhapur, for offences punishable under Sections 325, 324, 323, 504 and 427 read with 34 of the Indian Penal Code ('IPC'). By a judgment and order dated 9 January 2020, the trial Court acquitted the applicant of offences punishable under

Sections 504 and 427 of the IPC and convicted him for offences punishable under Sections 326 read with 34 of the IPC. The applicant was sentenced to suffer rigorous imprisonment for one year and pay a fine of Rs.10,000/- (with default stipulations). Aggrieved thereby, the applicant preferred an appeal bearing No.3 of 2020 before the Additional Sessions Judge, Gadhinglaj, Kolhapur. By a judgment and order dated 16 July 2025, the learned Additional Sessions Judge partly allowed the appeal and reduced the applicant's sentence from one year to six months. Dissatisfied, the applicant approached this Court in its revisional jurisdiction and, by the present application, seeks suspension of the sentence and release on bail, pending the outcome of the revision.

2. I have heard Mr Anand Patil, the learned Counsel appearing on behalf of the applicant, and Mr SM Mangaonkar, the learned Additional Public Prosecutor representing the respondent/State.

3. The learned Counsel for the applicant/accused highlights the alleged shortcomings in the prosecution's case and contends that the testimonies of the prosecution's witnesses lack credibility and fail to inspire confidence. The learned Counsel further submits that the applicant was on bail during the

pendency of the trial and appeal proceedings, and out of the six-month term, the applicant has already been in custody for over a month. The applicant is willing to comply with any conditions this Court imposes and cooperate fully with the revision proceedings, if released on bail.

4. The learned Additional Public Prosecutor representing the respondent/State, opposes the applicant's request and contends that both the trial Court and the appellate Court conducted a thorough examination of the evidence on record and concluded, with a high degree of certainty, that the applicant was guilty beyond a reasonable doubt. The learned APP submits that the evidence on record strongly supports the prosecution's case and does not warrant suspension of sentence and the applicant's release on bail.

5. This Court has considered the rival submissions made across the bar and perused the record.

6. It is a settled position in law that in cases where the term of the sentence is fixed, the revisional Court can leniently consider a convict's request for suspension of sentence and release on bail, except in exceptional circumstances or where statutory restrictions apply. If the sentence cannot be suspended, the revisional Court must endeavour to adjudicate

the revision on merits, especially when there is a request for expeditious resolution. Failing to do so could jeopardise the applicant's statutory rights due to the passage of time. When practical circumstances hinder prompt resolution, the Court must exercise heightened diligence in deliberating on sentence suspension to maintain the effectiveness of the revision process. Furthermore, when granting bail, the revisional Court has the discretion to impose certain conditions. A profitable reference in this regard can be made to the decision of the Hon'ble Supreme Court in *Bhagwan Rama Shinde Gosai Vs State of Gujarat*, (1999) 4 SCC 421.

7. Upon perusing the records, it appears that the maximum sentence imposed upon the applicant is a short one. The alleged incident occurred in January 2014. While this Court is mindful of the submissions advanced by the learned APP and the fact that proceedings are at the post-conviction stage, it is essential to recognise that the applicant has already been in custody and has served more than a month out of the six-month term. The applicant was enlarged on bail during the pendency of the trial and appeal proceedings. Considering the above and the unlikelihood of the present revision being heard in the near future due to the pendency of the older revision applications, this Court deems it fit to suspend the applicant's sentence and

release him on bail during the pendency of the revision application. Hence, the following order:

ORDER

(i) The sentence imposed upon the applicant vide order dated 9 January 2020, passed by the Judicial Magistrate First Class, Ajara, in RCC No.11 of 2014 and modified by the judgment and order dated 16 July 2025, passed by the learned Additional Sessions Judge, Gadhinglaj, Kolhapur, in Criminal Appeal No.3 of 2020, stands suspended during the pendency of the revision.

(ii) The applicant shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

8. The interim application stands disposed of accordingly.

(R.N. Laddha, J.)