



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION NO.254 OF 2025

IN

CRIMINAL APPEAL NO.136 OF 2025

(Akash Vilas Ingole and ors. Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. S.B. Gandhe, Advocate for the appellants.
Ms S.S. Dhote, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 12, 2025.

By this application, the appellants are seeking suspension of sentence and releasing them on bail.

2. Learned Counsel for the appellants submitted that the appellants are convicted of the offence punishable under Section 323 of IPC and sentenced to suffer rigorous imprisonment for one year and to pay fine of Rs.3,000/- each in default to undergo rigorous imprisonment for one month. They are further convicted of the offence punishable under Section 143 of IPC and sentenced to suffer rigorous imprisonment for six months and to pay fine of Rs.2000/-, in default to undergo rigorous imprisonment for one month. From the impugned judgment the learned Counsel has pointed out that he has many arguable points in the present appeal. The appeal would take its own time for its final disposal. Moreover, the punishment imposed is of a limited period.

In the meantime, if sentence is executed the purpose of preferring the appeal would frustrate. In view of that, the execution of sentenced be suspended.

3. Learned APP strongly opposed the application on the ground that the appeal itself is devoid of merits, and therefore, the application deserves to be rejected.

4. I have heard learned Counsel for both the parties and perused the impugned judgment and order from which learned Counsel for the appellants has pointed out that he has many arguable points in the present appeal. The appeal would take its own time for its final disposal. The appellants were on bail during the trial. They have not misused their liberty. Considering all theses aspects, the execution of sentence deserves to be suspended. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order :

(i) The application is allowed.

(ii) The execution of the sentence vide order dated 21/01/2025 passed by the Additional Sessions Judge, Amravati in Sessions Case No.138/2017 is hereby suspended till final disposal of the appeal.

(iii) The appellants – 1) Akash Vilas Ingole, 2) Uma Vikas Ingole and 2) Roshan Prabhakarrao Ingole be released on bail on

executing P.R. Bond in the sum of Rs.15,000/-
(Rs. Fifteen thousand) each with one surety
each, in the like amount.

5. The application stands disposed of.

CRIMINAL APPEAL NO.136 OF 2025

Heard.

2. **ADMIT.**
3. Learned APP waives notice for the State.
4. Call for R. & P.
5. Place the appeal before the Court after
preparation of the paper book.

(URMILA JOSHI-PHALKE, J.)