



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

CRIMINAL APPLICATION NO.81 OF 2025

IN

CRIMINAL REVISION APPLICATION NO.49 OF 2025

(Santosh s/o Bhauraoji Kamble 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. M.V. Rai, Advocate for the appellant.
Mr. N.B. Jawade, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 28, 2025.

By this application, the appellant is seeking suspension of sentence and releasing him on bail.

2. Learned Counsel for the appellant submitted that the appellant is convicted of the offence punishable under Section 354 of the Indian Penal Code and Section 248(2) of Cr.P.C. and sentenced to suffer simple imprisonment for one year and to pay fine of Rs.2500/-. From the impugned judgment he pointed out that he has many arguable points in the present revision. The revision would take its own time for its final disposal. In the meantime, if sentence is executed the revision would become infructuous. The imprisonment is of a limited period. In view of that, he be released on bail and the execution of sentenced be suspended.

3. Learned APP strongly opposed the application on the ground that the revision 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 judgments. Learned Counsel for the appellant has pointed out that he has many arguable points in the present revision. Moreover, the punishment imposed is of a limited period. The revision would take its own time for its final disposal. In the meantime, if sentence is executed the purpose of preferring the revision would frustrate. 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 passed in Criminal Appeal No.07/2021 dated 24/03/2025 by the Additional Sessions Judge, Hinganghat, District Wardha and R.C.C. No.42/2016 dated 20/09/2021 passed by the Judicial Magistrate First Class, Court No.2, Hinganghat is hereby suspended till final disposal of the revision.

(iii) The appellant – Santosh s/o Bhauraoji Kamble be released on bail on executing P.R.

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

5. The application stands disposed of.

CRIMINAL REVISION APPLICATION NO.49 OF 2025

Heard.

2. **ADMIT.**
3. Learned APP waives notice for the State.
4. Call for R. & P.
5. Place the revision before the Court after receipt of R. and P.

(URMILA JOSHI-PHALKE, J.)