



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

CRIMINAL APPLICATION NO.368 OF 2025

IN

CRIMINAL APPEAL NO.200 OF 2025

(Siddharth Namdev Khanderao and anr. 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.V. Sirpurkar, Advocate for the appellants.
Mrs. M.A. Barabde, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- APRIL 17, 2025.

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

2. The appellants were convicted of the offence punishable under Sections 498-A, 304-B, 306 read with Section 34 of the IPC and sentenced to suffer 8 rigorous imprisonment for three years each of the offence punishable under Section 498-A of the IPC and to pay fine of Rs.1000/- each in default to suffer rigorous imprisonment for four months each. The appellants were further convicted of the offence punishable under Sections 304-B of the IPC and 306 read with Section 34 of the IPC and sentenced to suffer rigorous imprisonment for seven years each and to pay fine of Rs.1000/- each in default to suffer rigorous imprisonment for six months each.

3. Learned Counsel for the appellants invited my attention towards the impugned judgment and the various

depositions and submitted that the he has many arguable points in the present appeal. The appeal would take its own time for its final disposal. In the meantime, if sentence is executed the purpose of preferring the appeal would frustrate. In view of that, they be released on bail and the execution of sentenced be suspended.

4. 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.

5. I have heard learned Counsel for both the parties and perused the impugned judgment as well as depositions from which it reveals that the appellant has many arguable points in the present appeal. The appeal would take its own time for its final disposal. In the meantime, if sentence is executed the purpose of preferring the appeal 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 vide order dated 10/04/2025 passed by the Additional Sessions Judge, Khamgaon in Sessions Case No.16/2016 is hereby suspended till final disposal of the appeal.

(iii) The appellants – 1) Siddharth Namdev Khanderao and 2) Ramabai Namdev Khanderao be released on bail on executing PR. Bond in the sum of Rs.25,000/- (Rs. Twenty Five thousand) each with one surety each, in the like amount.

6. The application stands disposed of.

CRIMINAL APPEAL NO.200 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 for final disposal.

(URMILA JOSHI-PHALKE, J.)