



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO.389 OF 2025
IN
CRIMINAL APPEAL NO 216 OF 2025

Golu @ Nilesh Shankarrao Jiwane

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Pulgaon, District Wardha

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. T. S. Joshi, Counsel for the appellant.
Mr. C. A. Lokhande, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 24/04/2025

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

2. Heard learned Counsel for the appellant who submitted that the appellant is held guilty by the trial Court and sentenced to suffer rigorous imprisonment for a term of 5 years and to pay fine of Rs.1000/- for the offence punishable under Section 326 of the Indian Penal Code and in default of payment of fine, simple imprisonment for two months.

3. He invited my attention towards the impugned judgment and the evidence and submitted that the appellant has every chance of success in the

present appeal, but the appeal would take its own time for its final disposal. In the meantime, if sentence is executed the appeal would become infructuous.

4. Learned APP strongly opposed for the same and on the ground that the appeal itself is devoid of merits.

5. Heard learned Counsel for the appellant and learned APP for the State. Perused the impugned judgment from which the learned Counsel for the appellant has pointed out that 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 appeal would become infructuous. Moreover, the punishment is imposed of a limited period. For all above these grounds, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The execution of sentence passed in Sessions Case No.143/2015 is hereby suspended till disposal of the appeal.

(iii) The appellant **Golu @ Nilesh Shankarrao Jiwane** shall be released on bail on executing PR Bond of Rs.25,000/- with one solvent surety in the like amount.

The application is disposed of.

CRIMINAL APPEAL NO 216 OF 2025

- (i) Heard.
- (ii) **Admit.**
- (iii) Learned APP waives notice for the State.
- (iv) Call for record and proceedings.
- (v) Appeal be listed after preparation of the paper book.

(URMILA JOSHI-PHALKE, J.)