



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

CRIMINAL APPLICATION (APPA) NO. 438 OF 2025 IN
CRIMINAL APPEAL NO. 245 OF 2025

Pravin s/o Wamanrao Chopde and others 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. Y.P Bage, counsel for applicant/appellant.

Mr. S.C. Joshi, APP for the State

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 08/05/2025.

1. Heard.
2. By preferring this application, the applicant is seeking suspension of sentence and releasing him on bail.
3. Learned counsel for the applicant submitted that, the applicant is convicted for the offence punishable under Sections 353 and 332 of the Indian Penal Code, 1860 (IPC) and sentenced to suffer rigorous imprisonment for one year and to pay fine of Rs. 10,000/- each, in default of which they shall undergo simple imprisonment further period of 60 days. For the offence punishable under Section 332 of IPC and sentenced to suffer simple imprisonment for six months and fine of Rs. 3000/- each, in default, simple imprisonment for further period of 30 days. He also pointed out from the impugned judgment that he has many arguable points in the present appeal and punishment imposed is of a limited period and the appeal would take its own time for its final

disposal. In the meantime, if the sentence is executed, the application would become infructuous.

4. The learned APP strongly opposed the said application and submitted that the appeal itself is devoid of merits, and therefore, the application deserves to be rejected.

5. On hearing both sides and on perusal of the impugned judgment, from which it is pointed out that appellant has many arguable points in the appeal. Moreover, the punishment imposed is of a limited period. In the meantime, if the sentence is executed, the appeal would become infructuous. In view of that, prayer for suspension of sentence deserves to be allowed. Accordingly, I proceed to pass the following order.

- a] The criminal application is **allowed**.
- b] The execution of the sentence passed in Sessions Trial Case No. 111/2022 is hereby suspended till disposal of the appeal.
- c] The appellants shall be released on bail on executing PR. Bond of Rs. 25,000/- each with one solvent surety of like amount.

6. The criminal application is disposed of.

CRIMINAL APPEAL NO. 245 OF 2025

1. Heard.

2. **Admit.**
3. Learned APP waives service of notice on behalf of respondent/State.
4. Call for record and proceedings.
5. The appeal be listed before this Court after preparation of paper-book.

[URMILA JOSHI-PHALKE, J.]