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

**CRIMINAL APPLICATION NO.450 OF 2025**

**IN**

**CRIMINAL APPEAL NO.252 OF 2025**

(Prabhakar s/o Shankarrao Chavare and anr. Vs. State of Maharashtra)

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

Court's or Judge's Order

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Mr. M.V. Rai, Advocate for the applicants.  
Ms R.V. Sharma, APP for the State.

**CORAM:- URMILA JOSHI-PHALKE, J.**  
**DATED :- MAY 9, 2025.**

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

2. Learned Counsel for the appellants submitted that the appellants are held guilty of the offence punishable under Section 324 of the IPC and sentenced to suffer rigorous imprisonment for a period of one year and fine of Rs.2500/- each and in default of payment of fine sentenced to undergo rigorous imprisonment for one month. He taken me through the entire judgment and submitted that the appellant has many chances of success in the present appeal but the appeal would take its own time for its final disposal. Moreover, punishment imposed is of a limited period. 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 from which learned Counsel for the appellant has pointed out that he has many arguable points in the present appeal. Moreover, punishment imposed is of a limited period. The appellants were on bail during the trial and they have not misused the liberty. For all above these grounds, 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 by the Additional Sessions Judge, Wardha in Sessions Case No.91/2021 dated 05/05/2025 is hereby suspended till final disposal of the appeal.

(iii) The applicants – 1) Prabhakar s/o Shankarrao Chavare and 2) Suresh s/o Devidas Bamnote be released on bail on executing P.R. Bond in the sum of Rs.15,000/- each with one surety, in the like amount.

5. The application stands disposed of.

**CRIMINAL APPEAL NO.252 OF 2025**

Heard.

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

**(URMILA JOSHI-PHALKE, J.)**

*\*Divya*