



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

CRIMINAL APPLICATION NO. 472 OF 2025
IN
CRIMINAL APPEAL NO. 266 OF 2025

(Vikas s/o Bhaurao Karlake Vs. State of Mharashtra, thr Police Station Officer, PS Shirpur,
Yavatmal and anr.)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. R.P. Durge, counsel for the applicant,
Mr. B.M. Lonare, APP for non-applicant No. 1/State.

CORAM : ABHAY J. MANTRI, J.

DATE : JUNE 3, 2025

CRIMINAL APPLICATION NO. 472 OF 2025

The applicant has moved this application for suspension of sentence imposed vide judgment and order dated 07.05.2025 in Special Case No. 15/2016, passed by learned Special Judge-1, Kelapur, District Yavatmal, thereby convicting the applicant for the offence punishable under Section 354 of the Indian Penal Code.

2. Heard learned counsel for the applicant and learned APP for non-applicant No.1/State.

Learned counsel for the applicant submits that, as per the judgment and order, the applicant has deposited the fine amount Belkhede

in the trial Court, so also, after the conviction order, the trial Court has suspended the order for a period of one month. The said order was passed on 07.05.2025 and would expire on 06.06.2025; hence, he has prayed for suspension of sentence and grant of bail to the applicant.

3. Having gone through the record and the impugned order, prima facie it appears that during pendency of trial, the applicant was on bail and after, conviction, the trial Court suspended the order and applicant was released on bail for a period of one month, so also, considering the nature of the offence, and ground raised in the appeal memo, prima facie, in my view, it would be proper to suspend the impugned judgment and order till the conclusion of the appeal and grant bail to the applicant on the terms and conditions passed by the trial court.

In view of the above, I pass the following order:

- i) The application is allowed.
- ii) The judgment and order dated 07.05.2025, passed in Special Case No. 15/2015, by learned Special Judge-1, Kelapur, District Yavatmal, thereby convicting the applicant for an offence

punishable under Section 354 of the Indian Penal Code, is hereby suspended till the conclusion of this appeal.

iii) The applicant be released on bail on the same terms and conditions as imposed by the learned trial Court till the decision of this appeal.

iv) The application is disposed of.

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Issue notice to the respondents, returnable after four weeks.

2. Learned APP waives service of notice on behalf of respondent No.1/State.

3. The appellant to serve notice on respondent No. 2/victim by all modes permissible under the law.

(ABHAY J. MANTRI, J.)