



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

CRIMINAL APPLICATION NO.476 OF 2025

IN

CRIMINAL APPEAL NO.268 OF 2025

(Rajkumar s/o Batansingh Bawari 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. R.P. Durge, Advocate for the appellant.
Mr. G. Umale, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JUNE 13, 2025.

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

2. The appellant is convicted of the offence punishable under Sections 506 and sentenced to suffer rigorous imprisonment for six months and fine of Rs.1000/- in default of payment of fine to undergo rigorous imprisonment for the period of two months.

3. Learned Counsel for the appellant submitted that the limited period punishment is imposed. From the impugned judgment he 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 purpose of preferring the appeal would frustrate. In view of that, he be released on bail and the execution of sentenced be suspended.

4. Learned APP though strongly opposed the application submitted that the punishment is of a limited period.

5. I have heard learned Counsel for both the parties and perused the impugned judgment from which it reveals that the limited period punishment is imposed. 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 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 30/05/2025 passed by the Additional Sessions Judge, Wardha in Sessions Case No.40/2022 is hereby suspended till final disposal of the appeal.

(iii) The appellant – Rajkumar s/o Batansingh Bawari be released on bail on executing P.R. Bond in the sum of Rs.25,000/- (Rs. Twenty Five thousand) with one surety, in the like amount.

6. The application stands disposed of.

CRIMINAL APPEAL NO.268 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.

(URMILA JOSHI-PHALKE, J.)

**Divya*