



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

CRIMINAL APPLICATION (APPA) NO. 560 OF 2025
IN
CRIMINAL APPEAL NO. 317 OF 2025

Sonu @ Maratha s/o Baburao Kamble and another 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. Shubham Rakshit, counsel for applicants/appellants.

Mr. Anant Ghongare, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 04/07/2025.

1. By this application, the appellants are seeking suspension of sentence and release of the appellants on bail.
2. Heard learned counsel for the appellants, who submitted that appellants were convicted for the offence punishable under Sections 307, 294, and 353 read with Section 34 of the Indian Penal Code, 1860. He submitted that the appellants are convicted for the offence punishable under Sections 353 read with 34 of IPC and sentenced to suffer rigorous imprisonment for two years and fine of Rs. 1000/-, in default to suffer simple imprisonment for 15 days. The appellants are convicted for the offence punishable under Section 506 read with 34 of IPC and sentenced to suffer rigorous imprisonment for 2 years and fine of Rs. 1000/- and also for the offence punishable under Sections 186 and 332 of IPC and sentenced to suffer

rigorous imprisonment for Two years and fine of Rs. 1000/- each, in default to suffer simple imprisonment for 15 days.

He invited my attention towards the impugned judgment and submitted that there are many arguable points in the present appeal. Moreover, the punishment imposed is of a limited period. The appellants were on bail during the trial, and they have not misused the liberty. In view of that, the execution of the sentence is suspended, and they be released on bail.

3. Learned APP strongly opposed for the same and submitted that the appeal itself is devoid of merit, and therefore, the application deserves to be rejected.

4. On hearing both sides and on perusal of the impugned judgment it reveals that, the punishment imposed is of a limited period. The appellants have also pointed out that they have many arguable points in the appeal. The appeal would take its own time for its final disposal. In the meantime, if the sentence is executed, the preferring of the appeal would become infructuous. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

a] Criminal application is allowed.

b] The execution of the sentence passed in Sessions Case No. 372/2019 is hereby suspended till disposal of appeal.

- c] The appellants shall be released on bail on executing P.R. Bond of Rs. 25,000/- each with one solvent surety in the like amount.

Criminal application is **disposed of**.

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

[URMILA JOSHI-PHALKE, J.]