



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

CRIMINAL APPLICATION (APPR) NO. 256 OF 2023
IN
CRIMINAL REVISION APPLICATION NO.137 OF 2023

Rajesh s/o Raghunath Pandit

Vs.

State of Maharashtra through Police Station Officer Murtizapur,
District Akola

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. V. Rai, Counsel h/f Mr. V. S. Wankhade, Counsel for the applicant.
Mr. V. A. Thakare, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 06/01/2025

1. By this application, the applicant original accused is seeking suspension of sentence awarded by the learned Additional Sessions Judge, Akola, by maintaining the conviction in Appeal No.54/2016 for the offences punishable under Sections 324 and 452 read with Section 34 of the Indian Penal Code.

2. Learned Counsel for the applicant submitted that the revision would take its own time for its final decision. The applicant is already behind bar from last two years, so maximum punishment he has already undergone. The punishment imposed is of a limited period. In view of that, the execution of the sentence be suspended and he be released on bail.

3. Learned APP strongly objected for the same and submitted that the revision petition itself is devoid of merits and therefore, the application deserves to be rejected.

4. After hearing the learned Counsel for the applicant and learned APP for the State, perused the impugned Judgment from which learned Counsel for the applicant pointed out that he has many arguable points in the present revision application. Moreover, he has already undergone the maximum sentence i.e. two years. The revision would take its own time for its final decision. In view of that, the application is allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The execution of the sentence is suspended till disposal of the revision petition.
- (ii) The applicant shall be released on bail on executing PR Bond of Rs.25,000/- with one solvent surety in the like amount.

The application is disposed of.

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- 1. Heard.
- 2. **Admit.**
- 3. Learned APP waives service of notice for the State.

4. Record and proceeding is already received.
5. Revision application be listed before the Court for final disposal as per its own turn.

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As record and proceeding is already received therefore, the application is disposed of.

(URMILA JOSHI-PHALKE, J.)