



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

CRIMINAL APPLICATION (APPA) NO. 640 OF 2025
IN
CRIMINAL APPEAL NO. 361 OF 2025

Sachin s/o Dineshrao Gomase and others 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

Ms. F.N. Haidari, counsel for applicants/appellants.

Mr. N.B. Jawade, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 29/07/2025.

1. By this application, the appellants are seeking suspension of sentence and release of the appellants on bail.
2. The appellants are convicted for the offence punishable under Section 326 read with Section 34 of the Indian Penal Code, and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs. 5,000/-, in default of payment of fine, rigorous imprisonment for six months. They further convicted for the offence punishable under Section 341 read with Section 34 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for six months and fine of Rs.1,000/-, in default of payment of fine, rigorous imprisonment for two months.
3. Learned counsel for the appellants submitted that punishment imposed is of a limited period. Learned counsel also pointed out from the impugned judgment that she has

many arguable points in the present appeal, but the appeal would take its own time for its final disposal.

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

5. 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 present appeal, and 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. 07/2020 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**.

CRIMINAL APPEAL NO. 361 OF 2025

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

[URMILA JOSHI-PHALKE, J.]