



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

CRIMINAL APPEAL NO. 420 OF 2025

(Ajay @ Ravi Raju Mahale ..vs.. State of Maharashtra, through PS, Buldhana Rural)

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

Court's or Judge's orders

Mr. Gahilot, Advocate for the appellant,
Mr. Bhagwan M. Lonare, Addl. P.P. for the respondent/State.

CORAM : ABHAY J. MANTRI, J.

DATED : 03-09-2025

Heard.

2. Having considered the grounds raised in the appeal memo,
the appeal is '***Admitted***'.

3. Mr. Bhagwan M. Lonare, learned Additional Public
Prosecutor, waives service of notice on behalf of the respondent/
State.

4. Call for record and proceedings.

Criminal Application No. 737/2025.

Applicant/appellant has filed this application for suspension
of the sentence awarded by the learned Judge, Special Court,
Buldhana vide order dated 28-07-2025, in Special Case No. 1/2021
during the pendency of the appeal.

2. Learned Advocate for the appellant submitted that during the
pendency of the trial, the applicant was on bail, as well as after
passing of the conviction order, he was released on bail. He further
submitted that the applicant is convicted for the offence punishable
under Sections 452 and 354-A of the Indian Penal Code and is

sentenced to suffer rigorous imprisonment for a period of one year along with a fine. The applicant has deposited the fine amount, and the learned trial Court, on depositing the fine amount in the Court, has granted bail to him. Accordingly, he has furnished the P.B. and S.B. of Rs. 15,000/- in the trial Court. He has tendered across the bar the copies of the receipt of depositing the fine amount as well as the bail order passed by the Special Court. The same are taken on record and marked “X” and “X-1” for the purpose of identification.

3. Having considered the above, and having gone through the record, *prima facie* I find substance in it. Apart from this, the appellant has preferred the appeal challenging the judgment and order passed by the Special Court, Buldhana, in Special Case No. 1/2021. The appeal will take its own time to be finally decided. *Besides*, the learned Advocate has pointed out the findings recorded by the Special Court and submitted that the findings given by the learned Judge, Special Court, are erroneous. Thus, in my view, it would be appropriate to suspend the sentence awarded by the Special Court as well as release the applicant on bail, during the pendency of the appeal.

4. As such, the application is allowed and the sentence awarded by the learned Judge, Special Court, by order dated 28-07-2025 in Special Case No. 01/2021 is hereby suspended till the disposal of the appeal. As the applicant is already released on bail, the bail bonds executed by the applicant shall be continued during the pendency of the appeal.

5. The application is disposed of accordingly.

(ABHAY J. MANTRI, J.)