



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

CRIMINAL APPLICATION (APPA) NO.742 OF 2025

IN

CRIMINAL APPEAL NO. 422 OF 2025

(Lakhan S/o Pritamdas Chawala

Vs.

State of Maharashtra, Thr. Police Station Akot City, Dist. Akola)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Preeti Gwalani, Adv. h/f Mr. J.B. Gandhi, Adv. for the Appellant.
Mr. Neeraj Jawade, APP for the Respondent/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 2nd SEPTEMBER, 2025

1. By this Application, the Applicant/Appellant seeking suspension of sentence and releasing him on bail.

2. The Appellant is convicted for the offence punishable under Section 353 of IPC and sentenced to suffer simple imprisonment for 6 months and to pay fine of Rs.10,000/-, in default to suffer simple imprisonment for 1 month. He further convicted for the offence punishable under Section 506 of IPC and sentenced to suffer simple imprisonment for 3 months and to pay fine of Rs. 5,000/-, in default to suffer simple imprisonment for 15 days.

3. Heard learned Counsel for the Appellant, who submitted that the Appellant has already deposited the fine

amount. She has also pointed out from the impugned judgment that she has many arguable points in the present Appeal and the Appeal would take its own time for its final disposal. In the meanwhile, if the sentence is executed, then the Appeal would become infructuous. She further submitted that, the punishment imposed is of a limited period. In view of that, the execution of the sentence be suspended.

4. Learned APP for the Respondent/State, strongly opposed the Application on the ground that the Appeal itself is devoid of merits, and therefore, the Application deserves to be rejected.

5. After hearing both the sides and on perusal of the impugned judgment from which the learned Counsel for the Appellant has pointed out that he has many arguable points. Moreover, the punishment imposed is of a limited period. Appeal would take its own time for its final disposal. In the meantime, if the sentence is not suspended, the Appeal would become infructuous. In view of that, I proceed to pass the following order:-

ORDER

- i. Criminal Application (APPA) No. 742/2025, is hereby **allowed**.
- ii. The execution of the sentence passed in Sessions Case No.46/2021, is hereby suspended till the disposal of the Appeal.

- iii. The Appellant – Lakhan S/o Pritamdas Chawala, shall be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- iv. The Appellant shall furnish bail bonds before the Trial Court.

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- 1. Heard.
- 2. **Admit.**
- 3. Call R & P.
- 4. Appeal be listed before this Court after preparation of the Paper Book.

(URMILA JOSHI-PHALKE, J.)