



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

CRIMINAL APPEAL NO. 429 OF 2025

Harshwardhan S/o Raibhan Jadhav, Tal. Kannad, Dist. Chhatrapati Sambhaji Nagar
vs.

State of Maharashtra, Thr. PSO, PS Sonegaon, Nagpur

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

Court's or Judge's orders

Shri D. H. Sharma, Advocate for the appellant,
Shri Bhagwan M. Lonare, Addl. P.P. for the respondent/State.

CORAM : ABHAY J. MANTRI, J.

DATED : 04-09-2025.

Heard.

2. Having considered the grounds raised in the appeal, 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. 751/2025.

Applicant/appellant has moved this application for suspension of the sentence awarded by the learned Ad-hoc District Judge 1 and Additional Sessions Judge, Nagpur vide judgment and order dated 06/08/2025 in Session Case No.803/2021 during the pendency of the appeal.

2. Learned Advocate for the applicant 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 has already deposited the fine amount in

the Court and annexed a copy of the receipt along with the application. It is contended that after deposit of the fine amount, the learned trial Court has released the applicant on bail till the appeal period is over. Accordingly, he tendered a copy of the order across the bar. The same is taken on record and marked 'X' for identification. He further submitted that the applicant has accordingly executed the Personal Bond of Rs. 15,000/- and surety in the like amount before the trial Court.

3. Having considered the above, and having gone through the record, *prima facie* I find substance in his submissions. Apart from this, the applicant has preferred the appeal challenging the Judgment and order passed by the learned Ad-hoc District Judge 1 and Additional Sessions Judge, Nagpur in Session Case No.803/2021. It will take its own time to be finally decided.

4. The learned Additional Public Prosecutor has also given no objection to the suspension of sentence. Thus, in my view, it would be appropriate to suspend the sentence awarded by the learned trial Court as well as release the applicant on bail, during the pendency of the appeal.

5. As such, the sentence awarded by the learned Ad-hoc District Judge 1 and Additional Sessions Judge, Nagpur vide Judgment and order dated 06/08/2025 in Session Case No.803/2021 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.

6. The application is allowed and disposed of accordingly.

(ABHAY J. MANTRI, J.)