



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

CRIMINAL APPLICATION (APPA) NO. 366 OF 2025

IN

CRIMINAL APPEAL NO. 671 OF 2024

Jagan Pramlal Lihare and anr. -Vs-State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.Parimal R.Jalit, counsel for the applicant/s
Mr. I.J.Damle, A.PP for respondent-State.

**CORAM : ANIL S. KILOR &
ABHAY J.MANTRI, JJ.**

DATE : 17th JUNE,2025

1. Heard.
2. This is an application for suspension of sentence.
3. Applicants-accused Jagan Premlal Lihare and Madan Premlal Lihare have been convicted for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code and they have been sentenced to suffer imprisonment for life and a fine of Rs.5000/-(Rs.Five Thousand only) each, in default rigorous imprisonment for three months.
4. Applicant No.1 is further convicted for the offence punishable under Section 452 of the Indian Penal Code and sentenced to suffer rigorous imprisonment of two years and fine of Rs.1000/-(Rs. One Thousand only) in default rigorous imprisonment for one month. The applicants were not granted bail during the trial.

5. Having gone through the judgment and order convicting the applicants/appellants, it is evident that the judgment is well reasoned and based on the cogent evidence available on record.

6. The learned counsel appearing for the applicants has placed reliance on the judgment in the case of ***Omprakash Sahni Vs. Jai Shankar Chaudhary and anr.*** reported in ***(2023) 6 SCC 123***. There is no quarrel about the law laid down in the said case that if the Court is not in a position to hear the appeal of an accused within a reasonable period of time, the Court should ordinarily, unless there are cogent grounds for acting otherwise, release the accused on bail in cases, where special leave has been granted to the accused to appeal against his conviction and sentence. Here, as we have observed that there is cogent evidence available on record and as *prima facie*, we have not found any perversity in the judgment of the Trial Court, the application is rejected. However, the hearing of the appeal is expedited.

JUDGE

JUDGE