



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

CRIMINAL APPLICATION (APPA) NO. 408 OF 2025

IN

CRIMINAL APPEAL NO. 232 OF 2025

DHANRAJ PRABHAKARJI WATKAR

...VERSUS...

STATE OF MAHARASHTRA, THROUGH POLICE STATION OFFICER, PS. TAHSIL, DISTRICT NAGPUR

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

Court's or Judge's order

Shri/Smt. K.Y.Mandpe, Advocate for applicant/appellant.

Shri H.D. Dubey, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 02nd MAY, 2025

By preferring this appeal, the appellant has challenged the judgment and order of sentence passed in Sessions Case No. 122/2016, by which, the appellant is convicted for the offence punishable under Sections 299 r/w. Section 304 Para-II of IPC and sentenced to suffer rigorous imprisonment for 3 years and a fine of Rs. 5,000/-, in default to suffer rigorous imprisonment for one year.

2. The learned counsel for the appellant submitted that the appellant has every chance of success in the present appeal and from the impugned judgment, he has pointed out that he has many arguable points in the present appeal. Moreover, the punishment imposed is for a limited period and the appeal would take its own time for its final disposal. In the meantime, if the sentence is executed, the appeal would become infructuous.

3. The learned APP for the State strongly opposed for the same on the ground that the appeal itself is devoid of merit.

4. On hearing both the sides and on perusal of the impugned judgment, it reveals that, the appellant has every chance of success in the present appeal. Moreover, the punishment imposed is for a limited period. Considering all these aspects, the application deserves to be allowed. Accordingly, I proceed to pass the following order:-

ORDER

- i) The application is **allowed**.
- ii) The execution of the sentence passed in Sessions Case No. 122/2016 is hereby suspended till disposal of the appeal.
- iii) The appellant - Dhanraj Prabhakarji Watkar 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 application stands **disposed of**.

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5. **Admit.**

6. Call R & P.

7. The appeal be listed before this Court after preparation of the paper.

(URMILA JOSHI-PHALKE, J.)