



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

CRIMINAL APPLICATION (APPA) NO. 490 OF 2025

IN

CRIMINAL APPEAL NO. 276 OF 2025

(Jagdish s/o Chandrashekhar Deshmukh

Vs.

State of Maharashtra, Thr. PSO, PS Gadge Nagar, Amravati, District
Amravati)

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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Mr. U. Mehta, Advocate h/f Mr. M.V. Rai, Advocate for the Applicant/Appellant.
Mr. N.R. Rode, APP for the Non-Aplicant-Respondent/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 16th JUNE, 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 rigorous imprisonment for 1 year and pay fine of Rs. 10,000/-, in default to suffer rigorous imprisonment for 6 months.

3. Learned Counsel for the Appellant, who submitted that the punishment imposed is of a limited period. Appeal would take its own time for its final disposal. The Appellant was on bail during the trial. The Appellant has not deposited the fine amount but shown his readiness to deposit

the amount.

4. Learned APP for the Non-applicant/State, strongly opposed on the ground that the Appeal itself is devoid of merits.

5. After hearing both the sides and on perusal of the impugned judgment from which 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 executed, the Appeal would become infructuous. In view of that, I proceed to pass the following order:-

ORDER

- i. Criminal Application (APPA) No. 490/2025, is hereby **allowed**.
- ii. The execution of the sentence passed in Sessions Case No.161/2018, is hereby suspended till the disposal of the Appeal.
- iii. The Appellant – Jagdish s/o Chandrashekhar Deshmukh, 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 deposit the fine amount of Rs. 10,000/- within one week in this Court.

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

(URMILA JOSHI-PHALKE, J.)