



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

CRIMINAL APPLICATION (APPA) NO. 521 OF 2025

IN

CRIMINAL APPEAL NO. 293 OF 2025

SHEKHAR S/O DHARNIDHAR CHATURVEDI

Vrs.

STATE OF MAHARASHTRA

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R. M. Daga, Advocate for applicant.
Shri Aditya Gohokar, APP for respondent-State.

CORAM: URMILA JOSHI-PHALKE, J.

DATE : 20/06/2025.

1] By this application, the applicant is seeking suspension of sentence and releasing him on bail.

2] The applicant was prosecuted for the offences punishable under Sections 147, 148, 307, 324 r/w Section 149 of I.P.C. After appreciation of the evidence by the District Judge-7 and Additional Sessions Judge, Nagpur, applicant is held guilty for the offence punishable under Section 147 of the IPC and sentenced to suffer rigorous imprisonment for two years and to pay fine Rs.5,000/-, in default to suffer simple imprisonment for four months. He is further convicted for the offence punishable under Section 148 of the IPC and sentenced to suffer rigorous imprisonment for three years and fine of Rs.5,000/-, in default to suffer simple imprisonment for four months and also for the offence punishable under Section 307 r/w

Section 149 of IPC and sentenced to suffer rigorous imprisonment for five years and fine of Rs.15,000/-, in default to suffer simple imprisonment for four months and for the offence punishable under Section 324 r/w Section 149 of IPC and sentenced to suffer rigorous imprisonment for three years and pay fine of Rs.5,000/-, in default to suffer simple imprisonment for four months.

3] This judgment and order of conviction is challenged in this appeal on the ground that the learned Trial Court has not appreciated the evidence in proper perspective. The appeal would take its own time for final disposal, in the meantime, if the sentence is executed, the appeal would become infructuous. It is further submitted by learned counsel for appellant that the appellant has many arguable points in the present appeal and punishment imposed is also for limited period. In view of that the execution of sentence be suspended.

4] Learned APP strongly opposed for the same and submitted that there is no merit in the application and the application deserves to be rejected.

5] After hearing both the sides and on perusal of the impugned judgment, it reveals that the appellant has pointed out that he has many arguable points in the present appeal. Moreover, it would take its own time for its final disposal. Punishment imposed is also for limited period. Considering all these aspects, the application for suspension of sentence deserves to be allowed. Accordingly, I proceed to pass following order :-

ORDER

- i] Criminal Application is allowed.
 - ii] The execution of sentence passed in Sessions Case No.165/2005 is hereby suspended till disposal of the appeal.
 - iii] The **appellant – Shekhar s/o Dharnidhar Chaturvedi** shall be released on bail on executing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
6. Application stands disposed of in above terms.

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- 7. Heard.
- 8. **Admit.**
- 9. Call for Record and Proceedings.
- 10. Appeal be listed for final disposal after preparation of the paper book.
- 11. This appeal be tagged with Criminal Appeal No.262/2025.

[URMILA JOSHI-PHALKE, J.]