



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

CRIMINAL APPLICATION (APPA) NO. 708 OF 2025

IN

CRIMINAL APPEAL NO. 406 OF 2025

(Ganesh Rameshwar Raut

Vs.

State of Maharashtra, Thr. PSO, PS Kholapur, 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.V. Chakravarty, Adv. h/f Mr. S.B. Gandhe, Advocate for the Appellant.
Mr. A.A. Madiwale, APP for the Respondent/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 20th AUGUST, 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 451 of IPC and sentenced to suffer rigorous imprisonment for 1 year and to pay fine of Rs. 5,000/-, in default to suffer rigorous imprisonment for 1 month. He further convicted for the offence punishable under Section 354-A(i) of IPC and sentenced to suffer rigorous imprisonment for 1 year and to pay fine of Rs. 5,000/-, in default to suffer rigorous imprisonment for 1 month.

3. Learned Counsel for the Appellant submitted that the Appellant has already deposited the fine amount. The

punishment imposed is of a limited period. Appeal would take its own time for its final disposal. If the sentence is executed, the Appeal would become infructuous.

4. Learned APP for the Non-applicant/State, strongly opposed the Application on the ground that the Appeal itself is devoid of merits, and therefore, the Application deserves to be rejected.

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. 708/2025, is hereby **allowed**.
- ii. The execution of the sentence passed in Spl. Case No.242/2018, is hereby suspended till the disposal of the Appeal.
- iii. The Appellant – Ganesh Rameshwar Raut, 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 learned Trial Court shall except the fresh bail bonds by continuing the surety which is already given before the Trial Court.

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1. Heard.
2. **Admit.**
3. Call R & P.
4. Appeal be listed before this Court for final disposal after preparation of the Paper Book.

(URMILA JOSHI-PHALKE, J.)