



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

CRIMINAL APPLICATION (APPA) NO.891/2025

IN

CRIMINAL APPEAL NO.525/2025

**Ranjit Deshraj Longbarase Vs. State of Maharashtra, through Police
Station Officer, Police Station Wardha (City)**

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
--	---------------------------

Mr. A.S. Shukla, Advocate for Appellant / Applicant
Mrs. S.N Thakur, APP for Respondent

CORAM: NIVEDITA P. MEHTA, J.

DATED : 3rd DECEMBER, 2025

1. The present application has been filed under Section 430 of the Bharatiya Nagrik Suraksha Sanhita, 2023, seeking suspension of the sentence imposed upon the applicant. The applicant stands convicted by the learned Sessions Judge, Wardha, in Special (NDPS) Case No. 02/2018, by judgment and order dated 15.07.2025.

2. The applicant has been convicted for the offence punishable under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, "NDPS Act") and sentenced to undergo rigorous imprisonment for two years and to pay a fine of ₹1,000/-, and in default of payment of fine, to suffer simple imprisonment for one month.

3. Learned counsel for the applicant submits that the quantity involved 3.710 kg of ganja; is an intermediate quantity. It is further submitted that the

applicant has already undergone approximately 18 months of the sentence. Considering that the total sentence imposed is two years, it is urged that the applicant has already undergone a substantial portion of the sentence and that continued incarceration would render the appeal infructuous. Reliance is placed on the decisions in *Narcotic Control Bureau v. Lakhwinder Singh*, 2025 SCC OnLine SC 366, and *Ayub Khan v. State of Rajasthan*, 2024 SCC OnLine SC 3763.

4. Per contra, the learned Additional Public Prosecutor strongly opposes the application, submitting that the applicant has criminal antecedents and is involved in similar offences. She refers to Crime No. 871/2023, involving seizure of 10 kg of ganja, and Crime No. 329/2025, involving seizure of 540 grams of ganja from the applicant. In view of these antecedents, suspension of sentence is opposed.

5. Having considered the rival submissions and noting that the rigours of Section 37 of the NDPS Act are not attracted in the present case, this Court observes that although the applicant appears to have been involved in similar offences, the request for suspension of sentence can be considered, particularly in view of the substantial period of sentence already undergone. The judgments relied upon by the applicant in *Lakhwinder Singh* (supra) and *Ayub Khan* (supra) also support consideration of such relief in appropriate circumstances. In the circumstances,

the applicant is entitled to suspension of sentence during the pendency of the appeal, subject to stringent terms and conditions.

6. Accordingly, the application is allowed. The substantive sentence imposed upon the applicant by the learned Sessions Judge, Wardha, in Special (NDPS) Case No. 02/2018, by judgment and order dated 15.07.2025, is hereby suspended, subject to the following terms and conditions:

I. The applicant / appellant shall be released on bail on furnishing PR bond of Rs.25,000/- with solvent surety in the like amount before the trial Court.

II. The applicant shall report before the concerned trial Court on the fifth day of every calendar month until further orders.

III. The applicant shall furnish his current residential address and mobile number to the concerned Sessions Court and shall inform the Court about change of address or contact number forthwith.

IV. If the applicant during pendency of this appeal is found to be involved in similar offence, the suspension granted to the applicant will automatically stand cancelled.

V. The respondent – State shall be at liberty to apply for cancellation of suspension of sentence granted to the applicant.

The application shall stand disposed off.

CRIMINAL APPEAL NO.525/2025

Heard.

ADMIT.

Call R & P.

Issue notice to the respondent, returnable on
05.01.2026.

The learned Additional Public Prosecutor
waives service of notice for respondent.

(NIVEDITA P. MEHTA, J.)

MP Deshpande