



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

CRIMINAL APPLICATION (APPA) NO. 908/2025

IN

CRIMINAL APPEAL NO. 541/2025

**Sandip Prakash Bahale Vs. State of Maharashtra, through Police Station Officer,
Police Station 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. Syed Ateeb, Advocate for Applicant / Appellant
Mrs. S.N. Thakur, APP for Respondent

CORAM: NIVEDITA P. MEHTA, J.

DATED : 28th NOVEMBER, 2025

1. This application has been filed by the applicant under Section 430 of the *Bhartiya Nagarik Suraksha Sanhita, 2023*, seeking suspension of the substantive sentence imposed upon him. The applicant was convicted by the learned Additional Sessions Judge, Amravati, in Sessions Case No. 255/2023, vide judgment and order dated 18.09.2025.

2. The applicant stands convicted of the following offences:

Section 353 of the Indian Penal Code (IPC): sentenced to suffer rigorous imprisonment for three months and to pay a fine of Rs. 1,500/-, and in default, to suffer rigorous imprisonment for fifteen days;

Section 294 IPC: sentenced to suffer rigorous imprisonment for one month and to pay a fine of Rs.

500/-, and in default, to suffer rigorous imprisonment for fifteen days;

Section 177 of the Motor Vehicles Act: sentenced to pay a fine of Rs. 100/-, and in default, to suffer simple imprisonment for seven days.

3. Learned counsel for the applicant submits that the applicant was on bail throughout the trial and did not misuse the liberty granted to him. It is further submitted that the sentence imposed is of a short duration and that the possibility of the appeal being taken up for final hearing in the near future is bleak. He submits that the applicant has a good case on merits and, therefore, prays for suspension of sentence during the pendency of the appeal.

4. Per contra, the learned Additional Public Prosecutor has opposed the application, contending that there exists a possibility of the applicant misusing the liberty if released, and further pointing out that the offence was committed against a police officer, which renders the matter serious in nature.

5. Upon considering the rival submissions and having regard to the fact that the sentence imposed is of a short term, and further noting that the applicant was on bail during the trial without any reported misuse of liberty, this Court is of the considered view that a case is made out for suspension of sentence pending the final disposal of the appeal.

6. Accordingly, the application is allowed. The substantive sentence imposed upon the applicant by the learned Additional Sessions Judge, Amravati, in Sessions Case No. 255/2023, vide judgment and order dated 18.09.2025, 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.15,000/- with solvent surety in the like amount before the trial Court.

II. The applicant shall report before the concerned trial Court on the first day of every calender 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.

The application shall stand disposed off.

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Heard.

ADMIT.

Issue notice to the respondent, returnable on 22.12.2025.

The learned APP waives service of notice.

Call for R & P

(NIVEDITA P. MEHTA, J.)