



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

CRIMINAL APPLICATION (APPR) NO. 179 OF 2025
IN
CRIMINAL REVISION APPLICATION NO. 131 OF 2025

(Bhuru @ Viren S/o Kumbhalkaran Pali
Vs.
 State of Maharashtra, Thr. PSO Wardha (City)

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.R. Mehta, Adv. h/f Mr. M.V. Rai, Advocate for the Applicant.
 Mr. Aditya Gohokar, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 20th AUGUST, 2025

1. By this Application, the Applicant seeking suspension of sentence and releasing him on bail.

2. The Applicant has challenged the judgment and order passed by the Chief Judicial Magistrate, Wardha in R.C.C. No. 81/2012 which is confirmed in Criminal Appeal No. 74/2016.

3. The Applicant is convicted for the offence punishable under Section 408 of IPC and sentenced to suffer rigorous imprisonment for 5 years and to pay fine of Rs. 5,000/-, in default to suffer simple imprisonment for 2 months. The said sentence is modified by the Appellate Court in Criminal Appeal No.74/2016 and sentenced to suffer

rigorous imprisonment for 3 years and to pay fine of Rs. 5,000/-, in default to suffer rigorous imprisonment for 6 months.

4. Learned Counsel for the Applicant submitted that the punishment imposed is of a limited period. Revision would take its own time for its final disposal. During the trial the Applicant was on bail and he has not misused his liberty. For all the above reasons he prayed for suspension of sentence and releasing him on bail.

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

6. After hearing both the sides and on perusal of the impugned judgment from which the learned Counsel for the Applicant has pointed out that he has many arguable points. Admittedly, the punishment imposed is of a limited period. Revision would take its own time for its final disposal. In view of that, the Application for suspension of sentence deserves to be allowed. Accordingly, I proceed to pass the following order:-

ORDER

- i. Criminal Application (APPR) No. 179/2025, is hereby **allowed**.

- ii. The execution of the sentence passed in R.C.C. No.81/2012 which is confirmed in Criminal Appeal No. 74/2016, is hereby suspended till the disposal of the Revision.
- iii. The Applicant – Bhuru @ Viren S/o Kumbhalkaran Pali, 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.

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- 1. Heard.
- 2. **Admit.**
- 3. Call R & P.
- 4. Revision be listed before this Court for final disposal after receipt of R & P as per its own turn.

(URMILA JOSHI-PHALKE, J.)