IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.4070 OF 2026
IN
CRIMINAL REVISION APPLICATION NO. 338 OF 2019
WITH
CRIMINAL APPLICATION NO. 3868 OF 2019
IN REVN/338/2019

PADMAKAR S/O. SADASHIV BAGADE
VERSUS
THE STATE OF MAHARASHTRA
...
Shri Swami Sandeep C., Advocate for the Applicant.
Shri A.A.A. Khan, APP for the Respondent/ State.
...

CORAM : SUSHIL M. GHODESWAR, J.

DATE : 05 October 2026

P. C. :-

1. This Court, vide order dated 28.08.2026, has issued the Non Bailable Warrant against the applicant because his sentence was not suspended.

2. Today, Criminal Revision Application No.338/2019 is on the board wherein, the applicant has challenged the judgment and order dated 16.07.2015 passed by the learned JMFC, Kaij, in SCC No.102/2011 whereby, the applicant has been convicted for the offences punishable under Sections 279 and 337 of the Indian Penal Code. This judgment and order dated

16.07.2015 is confirmed in Criminal Appeal No.60/2015 by the learned Additional Sessions Judge, Ambajogai.

3. When the matter is called out, the learned advocate for the applicant has tendered Criminal Application No.4070/2026 praying for suspending the substantive sentence imposed vide the impugned judgment and order.

4. Hence, Criminal Application No.4070/2026, which is not on the Board, is taken up for hearing.

5. The learned advocate for the applicant states that the revision is having strong valid grounds and there are bright chances of success in revision. He, therefore, prays for suspending the sentence till the final decision of the instant revision application.

6. The learned APP opposes the application and submits that there are concurrent findings of the Courts below.

7. Considering the quantum of sentence, nature of allegations and the fact that the revision having been filed in 2019 would take sufficiently long time to be heard and decided, the sentence needs to be suspended. Hence, I proceed to pass the

following order :-

ORDER

(i) Criminal Application No.4070/2026 is allowed.

(ii) The substantive sentence imposed on the applicant vide the impugned judgment and order, stands suspended till the final hearing and disposal of the Criminal Revision Application.

(iii) The applicant be released on P.R. Bond of Rs.25,000/- (Rs. Twenty Five thousand only) with one solvent surety in the like amount.

(iv) Bail before the trial Court.

(v) The order dated 28.08.2026 issuing Non Bailable Warrant is recalled.

8. The Criminal Revision Application be listed for hearing on 19.10.2026.

9. Call for the record and proceedings from the concerned Court.

kps (SUSHIL M. GHODESWAR, J.)