IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

917 CRIMINAL APPLICATION NO. 4617 OF 2026
IN REVN/370/2026

Ghansham Kalba Paike
VERSUS
The State Of Maharashtra

.....

Mr. Tathagat V. Kamble a/w Mr. Sohel Shaikh h/f Mr. Prashant Prabhakar Giri, Advocate for Applicant
Mr. V. M. Chate, APP for the Respondent - State

.....

WITH

CRIMINAL REVISION APPLICATION NO. 370 OF 2026

CORAM : HITEN S. VENEGAVKAR, J.
DATE : 30.10.2026

PER COURT :

[I] <u>ORDER IN CRIMINAL APPLICATION NO.4617/2026</u> :

1. Heard the learned Advocate for the applicant and the learned APP for the respondent – State.

2. The impugned order in the present revision application confirms the conviction of the applicant under Sections 465, 467, 468 and 471 r/w Section 34 of the Indian Penal Code, 1860 and sentences him to undergo rigorous imprisonment for a period of two years.

3. The learned Advocate for the applicant submits that the applicant has preferred the present revision application challenging his conviction. He further submits that the applicant was on bail throughout the pendency of the statutory appeal. The

applicant is 75 years of age and an arguable case is made out in the revision application. He submits that, having regard to the short sentence imposed and the advanced age of the applicant, the sentence may be suspended and the applicant be released on bail pending the hearing and final disposal of the revision application.

4. The learned APP, however, opposes the application and submits that the scope of revisional jurisdiction is limited to examining whether any error of law or perversity is apparent in the impugned judgment and order. He submits that, beyond that, this Court has no jurisdiction to re-appreciate the evidence or examine the correctness of the findings recorded by the courts below. He, therefore, prays for rejection of the application and further submits that the revision application itself be decided at the stage of admission.

5. Having considered the submissions advanced by the learned Advocates for the respective parties and taking into account that the sentence imposed is a short sentence, that the applicant is 75 years of age, and that the revision application is likely to take some time for hearing and disposal, I am inclined to allow the application for suspension of sentence. Hence, the following order:

ORDER

[a] The Criminal Application is allowed.

[b] The substantive sentence imposed by the learned Judicial Magistrate (First Class), Wadwani, District – Beed, vide Judgment and Order dated 10.10.2018 on the applicant, is suspended during the pendency of the revision application.

[c] The applicant is directed to be released by executing a personal bond of Rs.25,000/- with one or two sureties in the like amount.

[II] <u>ORDER IN REVISION APPLICATION NO.370 OF 2026</u> :

1. Heard.

2. Issue notice to the Respondent, returnable on 27.11.2026. Learned APP waives service of notice on behalf of the Respondent – State.

[HITEN S. VENEGAVKAR, J.]

Sameer/Oct-2026