IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.4646 OF 2026
IN
CRIMINAL APPEAL NO.923 OF 2026

1. Anurath @ Anil Bhagwan Tipte
   Age: 35 years, Occu.: Agriculture,

2. Janabai Bhagwan Tipte
   Age: 48 years, Occu.: Agriculture,

3. Santosh Bhagwan Tipte
   Age: 38 years, Occu.: Agriculture,

4. Laxman @ Pappu Ramrao Kale
   Age: 33 years, Occu.: Agriculture,

5. Bhagwan Yashwant Tipte
   Age: 52 years, Occu.: Agriculture,

   All R/o. Tippatwadi,
   Tq. And Dist. Beed. .. Applicants

Versus

. The State of Maharashtra
   Through Officer Incharge,
   Police Station Beed (Rural),
   District Beed. .. Respondent

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Mr. S. J. Salunke, Advocate for the applicants.
Mr. V. V. Jahagirdar, APP for the respondent/State.

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 31.10.2026

ORDER :-

1. Instant application is for suspension of sentence awarded in Sessions Case No.33 of 2018 by learned Additional Sessions Judge, District Beed vide judgment and order dated 08.10.2016 for offence under Sections, 147, 148, 324 read with Section 149 of the Indian Penal Code [IPC] and equally, prayer is raised for grant of bail also.

2. Learned Counsel for the applicants pointed that the maximum sentence awarded is of one year for offence under Section 324 read with Section 149 of IPC and for rest of the offences, the sentence awarded is for one month with fine. He submits that the fine amount is paid. He further submits that the applicants were on bail during trial. It is his submission that while awarding sentence, learned trial Court has not taken into account the provisions of Section 360 of the Code of Criminal Procedure as well as the provisions of Probation of Offenders Act. He further submits that there are grounds to be dealt in appeal and as the appeal is of the year 2026, it may not be heard in near future and on such grounds, he prays that relief of suspension of sentence and grant of bail be granted.

3. Learned APP opposed the application by taking this Court through the paragraph Nos.25, 26 and 27 of the judgment of the learned trial Court and pointed out that injuries are proved to be

inflicted and on full-fledged trial, the applicants have been convicted. He further pointed out that occurrence is the outcome of previous enmity.

4. After considering the above submissions and the quantum of sentence imposed upon the applicants, it is pertinent to note that the applicants were on bail during trial. Even after their conviction, the learned trial Court was pleased to extend benefit of suspension of sentence during the appeal period. Moreover, the appeal is of the year 2026 and is not likely to be taken up for hearing in the immediate near future. In view of these circumstances, the relief, as prayed, deserves to be granted. Hence, I proceed to pass the following order:-

ORDER

I. Criminal Application stands allowed.

II. The substantive sentence imposed on the applicants viz., **(i) Anurath @ Anil Bhagwan Tipte, (ii) Janabai Bhagwan Tipte, (iii) Santosh Bhagwan Tipte, (iv) Laxman @ Pappu Ramrao Kale** and **(v) Bhagwan Yashwant Tipte** in Sessions Case No.33 of 2018 by learned Additional Sessions Judge, District Beed vide judgment and order dated 08.10.2016, stand suspended till the final hearing and disposal of Criminal Appeal No.923 of 2026.

III. The applicants be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) each with two solvent sureties each in the like amount.

IV. The applicants shall not commit any criminal activity.

V. The applicants shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeals, commencing from the date they tender bail papers and thereafter, the trial Judge to fix dates for their subsequent appearances.

VI. In case of two consecutive defaults on the part of the applicants to remain present before the trial court, the trial court to inform this court about the same and in that eventuality, the prosecution would be at liberty to file an application for cancellation of bail granted to the applicants.

VII. Bail before the trial court.

[ABHAY S. WAGHWASE, J.]

scm