



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**CRIMINAL APPLICATION NO. 1 OF 2026
IN REVN/1/2026**

Balu Alias Sadhu Hanmant Shinge

... Applicant

Versus

The State of Maharashtra

... Respondent

.....
Advocate for Applicant : Mr. Someshwar Sanjay Birajdar
APP for Respondent - State: Mr. N. R. Dayma
.....

CORAM : ABHAY S. WAGHWASE, J.

DATED : 06 JANUARY 2026

ORDER :

1. This is an application for suspension of sentence and grant of bail on account of conviction recorded by learned Judicial Magistrate First Class, Omerga, Dist. Dharashiv dated 18.05.2018 in R.C.C. No.121 of 2014 and it being further confirmed by learned Additional Sessions Judge, Omerga, Dist. Dharashiv in Criminal Appeal No. 25 of 2018.

2. It is pointed out that, applicant was tried vide R.C.C. No.121 of 2014 for commission of offence punishable under sections 452, 354(B) and 323 of IPC. He further submitted that, by judgment and order dated 18.05.2018 he came to be convicted against which Criminal Appeal No.25 of 2018 was preferred before learned

Additional Sessions Judge, Omerga. However, the same is also dismissed by judgment and order dated 15.12.2025.

3. Learned trial court had awarded sentence of one year, three years and six months, respectively. On court query, learned counsel makes a statement that during proceedings with both the courts below, revision applicant was on bail. He also makes a statement that, fine amount has been paid. For all above reasons, he prays for suspension of sentence and grant of bail.

4. Learned APP opposed the application and submit that there is no merit in the application and he prayed to dismiss the application.

5. Heard. Revision seems to be preferred against both the orders of trial court as well as first appellate court recording conviction for above offences. The maximum sentence directed to be run concurrently is three years. Fine amount is already deposited. Applicant was on bail during trial. As the revision is of 2026 and there are no immediate prospects of its hearing in the near future, the relief as prayed for 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 applicant Balu Alias Sadhu Hanmant Shinge in R.C.C. No.121 of 2014 by the learned J.M.F.C., Omerga, on 18.05.2018, which is confirmed by learned Additional Sessions Judge, Omerga by order dated 15.12.2025 in Criminal Appeal No.25 of 2018, stands suspended till the final hearing and disposal of Criminal Revision Application No. 01 of 2026.
- III. The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety in the like amount.
- IV. The applicant shall not commit any criminal activity.
- V. The applicant shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date he tenders bail papers and thereafter, the trial Judge to fix dates for his subsequent appearances.
- VI. In case of two consecutive defaults on the part of the applicant 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 applicant.
- VII. Bail before the trial court.

(ABHAY S. WAGHWASE, J.)