



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

921 CRIMINAL APPLICATION NO. 14 OF 2026
IN APEAL/1/2025

RAJESH GOPICHAND KALE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Mahesh P. Kale
APP for Respondent No. 1 : Ms. M.N. Ghanekar

...

CORAM : RAJNISH R. VYAS, J.

Dated : 06.01.2026

PER COURT :-

1. This is an application preferred by the original accused no. 2 – Rajesh Gopichand Kale, for grant of bail and suspension of sentence. The sentence imposed upon accused no. 2 is of one year for commission of offences punishable under Section 323 read with 34 of the Indian Penal Code and fine of Rs. 2,500/- is also imposed. Accused no. 2 / the applicant is also convicted for commission of offence punishable under Section 504 and 34 of the IPC and directed to suffer imprisonment for six months and pay fine of Rs. 2,500/-.

2. Learned counsel for the applicant submits that all throughout trial he was on bail and he did not misuse his liberty. He further states that he has co-operated for early completion of trial. According to him, after pronouncement of judgment, he surrendered to the custody of the Court and preferred an application for suspension of sentence which was also allowed by the trial Court. In

pursuance of the judgment, he has also deposited fine amount of Rs. 2,500/- total Rs. 5,000/-. He states that considering the fixed term of sentence imposed upon him, so also his age the sentence be suspended and he be released on bail.

3. I have gone through the record of the case, so also considered the arguments advanced by the learned counsel for the applicant. Though learned APP has vehemently opposed the application, I am of the view that considering the length of sentence imposed and nature of evidence, it is a fit case where the sentence can be suspended and the accused can be released on bail. Accordingly, following order is passed :

ORDER

- i. Applicant – Rajesh Gopichand Kale, be released on bail and sentence imposed upon him in Special POCSO Case No. 178/2022 dated 19.12.2025, passed by the learned Additional Sessions Judge – 1 / Special Judge, Parbhani, be suspended on same terms and conditions as were imposed by the learned trial Court.
- ii. The necessary compliance be made within a period of two weeks from today.
- iii. Application is allowed and disposed of.

(RAJNISH R. VYAS, J.)