



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 92 OF 2026
IN CRIMINAL REVISION APPLICATION NO. 11/2026

Hiralal Bhagwan Patil
VERSUS
Swapnil Suresh Bhadane

...
Mr. Shri Krishna U. Chaudhari, Advocate for Applicant

CORAM : ABHAY S. WAGHWASE, J
DATED : JANUARY 16, 2026

ORDER:

1. Present application is for suspension of sentence and grant of bail as a result of conviction recorded by learned Judicial Magistrate First Class, Court No. 2, Shahada, Dist. Nandurbar in S.T.C. No. 1011/2019 vide judgment and order dated 23.12.2021 and confirmed by learned Additional Sessions Judge, Shahada, Dist. Nandurbar in Criminal Appeal No. 02/2022 vide judgment and order dated 08.12.2025.

2. Learned Counsel for the Applicant submits that, present Applicant was arraigned as an accused for commission of offence under Section 138 of the Negotiable Instruments Act by present Respondent. That, the said STC No. 1011/2019 came to be allowed against which Appeal was preferred bearing no. 02/2022. However, the same came to be dismissed by order dated 08.12.2025 and the same is challenged here

by way of revision, which is pending. Learned Counsel for the Applicant makes a statement that, during the pendency of both cases i.e. before Trial Court as well as First Appellate Court Applicant was on bail. However, by virtue of conviction passed by Trial Court and its confirmation by Appellate Court, during the pendency of Revision, prayers are raised for grant of bail.

4. It seems that, yet notice has not been issued to other side. However, considering the nature of proceedings and as revision is yet to be heard and in view of statement made across the bar that Applicant was on bail during proceedings before Trial Court as well as First Appellate Court, relief of bail deserves to be granted.

5. In view of above, following order:

O R D E R

- A. Criminal Application stands allowed.
- B. Substantive sentence imposed on applicant by learned Judicial Magistrate First Class, Court No. 2, Shahada, Dist. Nandurbar in S.T.C. No. 1011/2019 vide judgment and order dated 23.12.2021 and confirmed by learned Additional Sessions Judge, Shahada, Dist. Nandurbar in Criminal Appeal No. 02/2022 vide judgment and order dated 08.12.2025, stands suspended till the final hearing and disposal of present Criminal Revision Application.
- C. The applicant be released on bail on P.R. Bond of Rs. 15,000/- (Rupees fifteen thousand only) with one solvent surety in the like amount.

- D. The applicant shall not commit any criminal activity.
- E. Bail before trial Court.

(ABHAY S. WAGHWASE, J.)

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