



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

**CRIMINAL APPLICATION NO. 239 OF 2026
IN APEAL/28/2026**

NAGNATH DNYANOBA NAGARGOJE

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. A.R. Ingle h/f. Mr. B.R. Kedar

APP for Respondent : Mr. V.K. Kotecha

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CORAM : RAJNISH R. VYAS, J.

DATE : 22ND JANUARY, 2026

PER COURT :

1. This is an application for grant of bail and suspension of sentence preferred by the original accused who was convicted by the Additional Sessions Judge, Udgir, District Latur, in Sessions Case No. 27/2014, for commission of offence punishable under Section 323 of the Indian Penal Code and directed to undergo simple imprisonment for five months and pay fine of Rs. 1,000/-. In default of payment of fine, he was directed to suffer simple imprisonment for one month.

2. Learned counsel for the applicant submitted that throughout trial the applicant was on bail and he did not misuse his liberty. He also co-operated for early completion of the trial. He submitted that fine amount is already deposited on 29.11.2025. According to him, there are arguable points involved in the appeal.

3. Per contra, learned APP vehemently opposed the prayer made by the applicant.
4. I have gone through the record of the case.
5. The applicant was tried for commission of offence punishable under Sections 307, 324, 504, 506 and 323 of the IPC. He was convicted for commission of offence punishable under Section 323 of IPC, and for other offences he was acquitted.
6. Considering the fact that the applicant was on bail during the trial and the sentence is already suspended by the trial Court, so also keeping in mind the fact that the sentence imposed is of five months only, I am inclined to allow the present application. Accordingly, Criminal Application is allowed.
7. The sentence imposed in Sessions Case No. 27/2014 by Additional Sessions Judge, Udgir, District Latur, on 29.11.2025, on the applicant of five months for commission for offences punishable under Section 323 of the IPC, is hereby suspended till final hearing of appeal.
8. The applicant shall be released on same terms and conditions as imposed by the trial Court.
9. Criminal Application is disposed of.

(RAJNISH R. VYAS, J.)