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

**911 CRIMINAL APPLICATION NO. 548 OF 2026
IN APPEAL/97/2026**

**VISHAL ALIAS BABALU SHANKAR GALANDE AND ANOTHER
....Applicants**

VERSUS

**THE STATE OF MAHARASHTRA
.....Respondent**

Mr. S. V. Deshmukh, Advocate for the applicants
Ms. M. N. Ghahekar, APP for the respondents/State

CORAM : RAJNISH R. VYAS, J.

DATE : 11th FEBRUARY, 2026

PER COURT :

1. This is an application for grant of bail and suspension of sentence awarded by the Special Judge, Bhoom in Special Case No. 34/2020 dated 20-01-2026. The applicants /accused were convicted for the commission of offences punishable under Sections 452, 294, 323, read with section 34 of the Indian Penal Code and Sections 3(1)(r)(s) & 3(2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act. Maximum sentence imposed upon the applicants is of one year.

2. Learned advocate for the applicants submits that all through out the trial, they were on bail and they did not misuse the liberty. He submitted that fine amount is already deposited. He

further submits that they cooperated for early completion of trial. According to him, after pronouncement of judgment of conviction, they surrendered to the custody of the court and thereafter applied for suspension of sentence, which was granted by the trial court. According to him, offence for which they are convicted is in fact not made out from the evidence, which was tendered by the prosecution. He further states that arguable points are involved in the appeal. Considering the fact that the sentence imposed upon the applicants is of fixed terms, the applicants be released on bail.

3. Per contra, learned APP submitted that the judgment rendered by the trial court is based on proper appreciation of evidence.

4. Be that as it may, perusal of the record would shows that the applicants were on bail through out the trial. Further there are many arguable points involved. Considering the fact that the sentence imposed upon the applicants, is of fixed term and they did not misuse the liberty, till the victim is served, I hereby pass the following order:

ORDER

a. Sentence of one year imposed by the Special Judge, Bhoom in Special Case No. 34/2020 dated 20-01-2026 convicting the applicants for the commission of offences punishable under Sections 452, 294, 323, read with section 34 of the Indian Penal Code and Sections

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3(1)(r)(s) & 3(2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act is hereby suspended till the next date.

b. Applicants be released on bail on same terms and conditions as were imposed by the trial court.

5. Issue notice to the respondents, returnable on 25-02-2026. The learned APP waives service of notice for the respondents/State.

[RAJNISH R. VYAS, J.]

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