



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 724 OF 2026
IN REVN/64/2026

Nitin Vishwasrao Deshmukh
VERSUS
The State Of Maharashtra

...
Ms. S. G. Chincholkar, Advocate for Applicant
Mr. S. M. Ganachari, APP for Respondents

CORAM : ABHAY S. WAGHWASE, J
DATE : FEBRUARY 18, 2026

PC :

1. Present application is for suspension of sentence and grant of bail as a result of conviction recorded by learned Judicial Magistrate First Class, Vaijapur in Summary Criminal Case No. 448/2013 vide judgment and order dated 23.02.2021 and further confirmed by learned Additional Sessions Judge, Vaijapur in Criminal Appeal No.02/2022 vide judgment and order dated 11.02.2026.

2. Learned Counsel for the Applicant submits that, present Applicant has been tried for offences under Sections 138 of the Negotiable Instruments Act. That, learned Judicial Magistrate First Class, Vaijapur was pleased to convict the Applicant for above offence. The said judgment was challenged before learned Additional Sessions Judge, Vaijapur by filing Appeal, however, even learned First Appellate

Court was pleased to confirm the conviction and reject the appeal, against which, present Revision has been filed. She submits that, Applicant has been taken into custody by virtue of above orders. That, in Trial Court as well as before Appellate Court Applicant was on bail. That, during the pendency of the Revision, present Application for bail is pressed into service. That, Applicant has good case on merit in Revision and has every hope in succeeding the case. According to her, there are several infirmities in the impugned judgment and order. However, as much more time would be required to hear Revision, he urges to grant of bail.

3. Learned APP for Respondent/State strongly opposes the Application and he submits that, Revision can be taken up earlier, if so desire.

4. After considering the above submissions and on going through the papers, it appears that, learned JMFC has awarded the conviction, which was confirmed by the learned Appellate Court. It seems that, maximum sentence awarded to the Applicant is of two months.

5. In the light of above and considering the nature of proceedings and as Revision is yet to be heard, relief of bail deserves to

be granted.

6. 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, Vaijapur in Summary Criminal Case No. 448/2013 vide judgment and order dated 23.02.2021 and further confirmed by learned Additional Sessions Judge, Vaijapur in Criminal Appeal No.02/2022 vide judgment and order dated 11.02.2026, 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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