



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1296 OF 2026
IN
CRIMINAL APPEAL NO.238 OF 2026

Gotu @ Shivram Madhavrao Thorat,
Age : 38 years, Occu. : Labour,
R /o. Khalchegaon, Baudhdhawada.
Shirpur, Dist. Dhule.

... Applicant
(Original Accused)

Versus

The State of Maharashtra
Through Shirpur City Police Station,
Tal. Shirpur & Dist. Dhule.

... Respondent

.....
Mr. Chetan B. Chaudhari, Advocate for Applicant.
Mr. N. S. Tekale, APP for Respondent - State.
.....

CORAM : ABHAY S. WAGHWASE, J.
DATED : 09 APRIL 2026

ORDER :

1. This is an application for suspension of sentence awarded by learned Additional Sessions Judge, (Court No.5), Dhule in Sessions Case No. 220 of 2019 for offence punishable under sections 353 and 332 of the Indian Penal Code and prays for grant of bail.

2. Learned counsel submits that, applicant was tried vide Sessions Case No. 220 of 2019, which ended up in conviction for offence punishable under sections 353 and 332 of IPC and sentence awarded for

each of the offences is one year. He makes a statement that, applicant was on bail during trial. That, fine amount is already paid. According to him, appeal being of 2026, there are no immediate prospects of hearing the same. Further according to him, there are good grounds in appeal. For above reasons, he urges to suspend the sentence and grant him bail.

2. Learned APP opposed the application on the ground that on full-fledged trial conviction has been recorded and there is direct evidence.

3. After considering the above submissions, it appears that, maximum sentence for each of the sections is one year. Statement is made across the bar that applicant was on bail during trial and fine amount is reported to be paid. Apparently, appeal being of 2026 and there are no immediate prospects of hearing it and considering the quantum of sentence, relief as prayed deserves to be granted. Hence, the following order is passed :

ORDER

I. Criminal Application stands allowed.

II. The substantive sentence imposed on the applicant Gotu @ Shivrām Madhavrao Thorat in Sessions Case No. 220 of 2019 by learned Additional Sessions Judge, Dhule on 12.03.2026 stands suspended till the final hearing and disposal of Criminal Appeal No.238 of 2026.

III. The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with two solvent sureties in the like amount.

IV. The applicant shall not commit any criminal activity.

V. The applicant shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date they tender bail papers and thereafter, the trial Judge to fix dates for their subsequent appearances.

VI. In case of two consecutive defaults on the part of the applicants to remain present before the trial court, the trial court to inform this court about the same and in that eventuality, the prosecution would be at liberty to file an application for cancellation of bail granted to the applicants.

VII. Bail before the trial court.

(ABHAY S. WAGHWASE, J.)