



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

**CRIMINAL APPLICATION NO. 1360 OF 2026
IN APEAL/257/2026**

**BABASAHEB DHONDIRAM SOT
VERSUS
THE STATE OF MAHARASHTRA**

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Mr. R. P. Adgaonkar, Advocate for the Applicant
Mr. V. M. Jaware, APP for the Respondent – State

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CORAM : ABHAY S. WAGHWASE, J.

DATE : April 23, 2026

ORDER :-

1. This is an application for suspension of sentence and grant of bail in consequent to judgment and order dated 23.03.2026 passed by the learned Additional Sessions Judge, Latur in Special Case (ACB) No.7 of 2016.

2. It is pointed out that the applicant was tried in the above-mentioned special case and was convicted and sentenced to suffer imprisonment for three years. The applicant is in the Police Department and was on bail during the trial. According to him, there are serious doubts about the prosecution's case, as crucial

aspects of demand and acceptance are shrouded in doubt. Therefore, there is a good case on merits in appeal. It is further submitted that there are allegations that the bribe was demanded for not taking action under Section 107 of the Cr.P.C. However, the action had already been taken. Despite this, conviction has been recorded, which is now under challenge. The appeal is pending. During pendency of the appeal, the applicant seeks suspension of the sentence and grant of bail.

3. Learned APP strongly opposed the application on the ground that, after full fledged trial, the conviction has been recorded. There was main trap after due verification. Therefore, he prays for rejection of the application by taking recourse of the judgment and order of the Hon'ble Apex Court in the case of ***Omprakash Sahni Vs. Jai Shankar Chaudhary and another, (2023) LiveLaw SC 389.***

4. Heard. Perused the record. It appears that the applicant faced trial in Special Case (ACB) No. 07 of 2016 for commission of the offences under Sections 7 and 13(1)(d), read with Section 13(2) of the Prevention of Corruption Act. The sentence awarded is three years. The applicant is stated to be in the Police Department. It is

pointed out that there are serious doubts regarding demand as well as acceptance. However, that aspect is a matter for consideration in appeal. Taking into account the quantum of sentence, the fact that he is in service, the nature of the allegations, the prospects of success in the appeal and the likelihood that the appeal will not be heard in near future, the relief as prayed for deserves to be granted. Hence the following order:-

ORDER

- (i) Criminal Application stands allowed.
- (ii) The substantive sentence imposed on the applicant Babasaheb Dhondiram Sot by the learned Additional Sessions Judge-1 and Special Judge, Latur in Special Case (ACB) No.07 of 2016 dated 23.03.2026 stands suspended till final hearing and disposal of Criminal Appeal No.257 of 2026.
- (iii) The applicant be released on PR. Bond of Rs.15,000/- (Rs.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 he tenders bail papers and thereafter, the trial Judge to fix dates for his subsequent appearances.

- (vi) In case of two consecutive defaults on the part of the applicant 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 the bail granted to the applicant.
- (vii) Bail before the trial Court.

[ABHAY S. WAGHWASE J.]

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