



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 262 OF 2026
WITH
CRIMINAL APPLICATION NO. 1412 OF 2026
IN APEAL/262/2026

DEVIDAS HARIBHAU KALE
VERSUS
THE STATE OF MAHARASHTRA

.....
Advocate for Appellant : Mr. K. N. Shermale
APP for Respondent - State : Mrs. Saie Swapnil Joshi
.....

CORAM : ABHAY S. WAGHWASE, J.
DATED : 04 MAY 2026

PER COURT :

1. Heard.
2. Appeal is **admitted**.
3. Call Record and Proceedings.
4. Learned APP waives service of notice on behalf of respondent – State.
5. Learned counsel Mr. Shermale submits that, applicant is 72 years of age and he has a history of cardiac ailment and needs urgent medical attention. He further submits that if need arises in immediate near future to press for suspension of sentence and grant of bail on medical grounds, he be afforded liberty to move before the Vacation Court, if so required.

6. In the light of above submission, liberty is granted to move before the Vacation Court, which the Vacation Court shall deal and consider the request on merits at that point of time.

(ABHAY S. WAGHWASE, J.)