



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

**CRIMINAL APPLICATION NO. 1527 OF 2026
IN REVN/134/2026**

**TUKARAM KISAN ANKUSHRAO AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicants : Mr. Shelke Manoj Uttamrao
APP for Respondent : Mr. D.B. Bhange

...
**CORAM : ABHAY J. MANTRI, J.
DATE : 06TH MAY, 2026**

PER COURT :

1. The Applicants have filed this Application for suspension of sentence imposed vide the judgment and order dated 01.08.2022, passed by the learned Judicial Magistrate First Class (Court No. 1), Osmanabad, in RCC No. 633/2021, whereby convicted them for the offence punishable under Section 354 read with 34 of the Indian Penal Code, and sentenced to suffer rigorous imprisonment for one year and pay fine of Rs. 1,000/- each and confirming the said order by the learned Additional Sessions Judge, Osmanabad, vide judgment and order dated 02.04.2026, in Criminal Appeal No. 32/2022, till the disposal of Revision Application and prays for releasing them on bail.

2. Learned Advocate for the Applicants submitted that the Applicants have deposited the fine amount of Rs. 2,000/- in the learned

Trial Court on the date of passing of the judgment. Similarly, the Applicants were convicted for a period of one year. During the Trial and in Appeal, they were on bail. However, after the learned Additional Sessions Judge passed the order, they have been taken into custody and have been in jail since 04.04.2026. They have preferred the Revision Application challenging the orders passed by the trial Court and the Appellate Court, and it will take its own time to decide the same on the merits. Therefore, he urged for suspension of the sentence and release of the Applicants on bail.

3. Learned APP opposed the same contending that the judgment and order passed by both the Courts below are just and proper and, therefore, Applicants have to suffer the substantive sentence imposed by the Courts below. Hence, he opposed this Application for suspension of the sentence and grant of bail.

4. Having considered the above submissions and having gone through the record, *prima facie*, it appears that the Applicants have deposited the fine amount with the trial Court; so also, the Applicants were on bail before both the Courts. They are challenging the judgment and order passed by both the Courts below in the Revision Application, which will take its own time to be finally decided.

5. Having considered the grounds raised in the Revision Application and the fact that the matter will take its own time, in my view, it would be appropriate to suspend the sentence imposed by both the Courts below and release the Applicants on bail till the conclusion of the Revision Application.

6. As a result, **the Application is allowed in terms of prayer clause 'B'.**

7. Consequently, the sentence awarded by the learned Judicial Magistrate First Class (Court No. 1), Osmanabad, in RCC No. 633/2021 by order dated 01.08.2022 and confirmed by the learned Additional Sessions Judge, Osmanabad, in Criminal Appeal No. 32/2022, by order dated 02.04.2026, are hereby suspended till the disposal of the Revision Application.

8. The Applicants, namely Tukaram S/o. Kisan Ankushrao and Ganesh S/o. Rajabhau Devrao be released on bail ***on furnishing PB and SB of Rs. 1,00,000/- [Rupees one lakh] each, with one or two solvent sureties*** in like amount.

9. The Applicants shall furnish bail before the trial Court.

10. **Criminal Application is disposed of.**

(ABHAY J. MANTRI, J.)