



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1726 OF 2026
IN APEALST/4522/2026

SATISH BHASKAR CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Chetan Barku Chaudhari
APP for Respondent - State : Mr. B. B. Bhise
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CORAM : ABHAY S. WAGHWASE, J.
DATED : 05 MAY 2026

PER COURT :

1. This is an application for suspension of sentence and grant of bail in consequence to the judgment and order of conviction passed by learned Sessions Judge, Dhule in Sessions Case No.171 of 2021 for offence punishable under section 304 (Part II), 323 and 504 of the Indian Penal Code.

2. Learned counsel for applicant pointed out that, applicant is convicted for offence punishable under section 304 (Part II), 323 and 504 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for 5 years along with fine. It is further pointed out that, incident had taken place all of a sudden on account of demand of tobacco. That, there was scuffle in which deceased fell and suffered head injury and later on

succumbed to the same. 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 of bail.

3. Learned APP opposed on the ground that, here, there is direct evidence. He also took this court through the testimony of medical expert PW3. According to him, on full-fledged trial, the conviction has been recorded. For above reasons, the application is opposed.

4. Heard. After considering the submissions, it appears that, the incident seems to be fallout of a sudden quarrel and scuffle for refusing to comply the demand of supply of tobacco. Therefore, there was no premeditation nor any grave reason for the incident to happen. Statement is made across the bar that applicant was on bail during trial and even fine amount is paid. As submitted, appeal is of 2026 and there being no immediate prospects of hearing the same, taking the nature of accusations, 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 Satish Bhaskar Chaudhari in Sessions Case No. 171 of 2021 by learned Sessions Judge, Dhule on 21.05.2025 stands suspended till the final hearing and disposal of Criminal Appeal (St.) No.4522 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 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 bail granted to the applicants.

VII. Bail before the trial court.

(ABHAY S. WAGHWASE, J.)