



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1921 OF 2026
IN
CRIMINAL APPEAL NO. 370 OF 2026

Komalsing S/o. Harising Patil
Age: 56 years, Occu.: Labour,
R/o. Wadgaon Bk. Tq. Bhadgaon,
Dist. Jalgaon

... Applicant

VERSUS

The State of Maharashtra
Through Police Station Officer,
Bhadgaon Police Station, Tq. Bhadgaon,
Dist. Jalgaon.

... Respondent

.....
Mr. I.G. Durrani, Advocate for Applicant
Mr. B.A. Shinde, APP for Respondent-State
.....

CORAM : SIDDHESHWAR S. THOMBRE, J.
[VACATION COURT]

DATE : 18 MAY, 2026

PER COURT :

1. Heard.
2. Issue notice to respondent – State. Learned APP waives service of notice for respondent – State.
3. Instant application is for suspension of sentence and grant of bail on account of conviction recorded by learned Additional Sessions Judge, Jalgaon dated 23.04.2026 in Special Case No. 217 of 2022.

2. Learned counsel pointed out that present applicant has been held guilty by the learned Additional Sessions Judge, Jalgaon vide judgment dated 23.04.2026 passed in Special Case No. 217 of 2022 for offence punishable under Section 135 of the Indian Electricity Act, 2003 and sentenced to suffer simple imprisonment for a term of six months and to pay a fine of Rs.21,281/- I.D.S.I for one month. The maximum imprisonment for which the applicant is sentenced is of six months only. That, applicant has preferred appeal and the same is of the year 2026. According to him, as appeal against conviction would take long time to be heard, he urged for relief of suspension as well as grant of bail.

3. Opposing the above application, learned APP pointed out that maximum sentence awarded is imprisonment for three years. He submitted that, on full fledged trial guilt has been recorded.

4. Heard. Perused the papers including the judgment under challenge by way of appeal. Apparently, applicant is held guilty under the aforesaid provision. Said judgment is challenged by way of appeal and the same appears to be numbered as Criminal Appeal No.370 of 2026. Consequently, appeal being recent, may not be heard early. Applicant was reported to be on bail during trial. Therefore, in the light of above discussion, relief of suspension of sentence deserves to be granted. Hence, following order is passed.

ORDER

(I) Criminal Application stands allowed.

(II) The substantive sentence imposed on the applicant in Special Case No. 217 of 2022 by the learned Special Judge, Jalgaon on 23.04.2026, stands suspended till the final hearing and disposal of Criminal Appeal No. 370 of 2026.

(III) The applicant be released on PR. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety, in the like amount.

(IV) Bail before the trial court.

[SIDDHESHWAR S. THOMBRE]
JUDGE

S P Rane