



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**907 CRIMINAL APPLICATION NO. 1928 OF 2026
IN APEAL/379/2026**

SACHIN SHATARAM KOLHE
VERSUS
THE STATE OF MAHARASHTRA

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Mr. Zia Ul Mutafta, Advocate for the Applicant
Mr. Vishnu M. Jaware, APP for Respondent /State

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 09th JUNE, 2026

PER COURT :-

1. Heard.
2. This is an application for suspension of sentence and grant of bail on account of conviction order passed by the learned Additional Sessions Judge, Vaijapur, Dist. Aurangabad in Sessions Case No.58/2018, dated 27/04/2026 recording guilt of the applicant for offence punishable under Section 307 of the Indian Penal Code (IPC) and sentencing him to suffer rigorous imprisonment for seven years.
3. Learned Advocate for the applicant submits that, applicant faced trial for charge under Sections 307, 323, 324, 504 read with Section 34 of IPC. That, he is acquitted from offence punishable under Sections 323, 324, 504 read with Section 34 of IPC. However, he has been convicted for offence punishable under Section 307 of IPC. He points out that there are allegations against applicant for pushing the informant in a well, however, according to medical report,

there are no external injuries. Applicant was on bail during the trial. Exception has been taken to the judgment and order by filing appeal, but appeal being of 2026, it is likely to take long time to be heard and decided. Therefore, he prays for suspension of sentence and grant of bail.

4. Learned APP strongly opposes the application on the ground that serious offence has been committed by the applicant. That, there is attempt to commit murder by pushing informant in well. Upon complete appreciation of the facts, applicant has been convicted. He therefore prays for dismissal of the application.

5. Heard. Perused the papers.

6. The applicant has been convicted in Sessions Case No.58/2018 by judgment and order dated 27/04/2026 for offence punishable under Section 307 of IPC and sentenced to suffer rigorous imprisonment for seven years. On reading deposition of informant/victim in between lines, it is emerging that there was previous quarrel but it was not reported and subsequently, it is alleged that while victim had been to fetch water from well, applicant allegedly reached there and he, after threatening her, pushed her in well. However, PW-7 who is the Medical Officer has deposed about informant narrating history of falling in well, and not being pushed. There is dispute between applicant and informant/victim over common bandh between their adjoining fields. Admittedly, appeal is of 2026 and considering that there are no immediate prospects of hearing the appeal in the near future, 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 Sachin Shataram Kolhe by the learned Additional Sessions Judge, Vaijapur, Dist. Aurangabad in Sessions Case No.58/2018, dated 27/04/2026, stands suspended till final hearing and disposal of Criminal Appeal No.379 of 2026.

(iii) The applicant be released on P.R. 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.]

sjk