

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1935 OF 2026
IN
CRIMINAL APPEAL (Stamp) NO. 5168 OF 2026

Ganesh Rupchand Gangurde,
Age 32 years, Occ. Labour,
R/o Someshwar Path, Ward No.2,
Shrirampur, Tq. Shrirampur,
Dist. Ahmednagar

Applicant
...(Orig. Accused)

VERSUS

The State of Maharashtra
Through: Shrirampur City Police Station,
Dist. Ahilyanagar.

... Respondent

.....
Mr. Majit S. Shaikh, Advocate for Applicant
Mr. B.V. Virdhe, APP for Respondent-State

.....

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

DATE : 20 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 Judge, Sessions Judge, Shrirampur dated 16.02.2026 in Session Case No. 19/2019.

4. Learned counsel pointed out that present applicant was held guilty by the learned Sessions Judge, Shrirampur in Session Case No. 19/2019 dated 16.02.2026 for the offences punishable under Section 353 of the Indian Penal Code. The applicant is sentenced to suffer two months rigorous imprisonment. 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.

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

6. Heard. Perused the papers including the judgment under challenge by way of appeal. Apparently, applicant was held guilty under the aforesaid provisions. Said judgment is challenged by way of appeal and the same appears to be numbered as Criminal Appeal Stamp No. 5168 of 2026. Consequently, appeal being recent, may not be heard early. Applicant was reported to be on bail during trial and he has been granted suspension by the Trial Court. 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 by the Sessions Judge, Shrirampur in Session Case No. 19/2019 vide judgment and order dated 16.02.2026, for the offences punishable under Section 353 of the Indian Penal Code, stands suspended till the final hearing and disposal of Criminal Appeal

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

(IV) Bail before the trial court.

[SIDDHESHWAR S. THOMBRE]
JUDGE

mkd/-