



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1942 OF 2026
IN
CRIMINAL APPEAL NO. 392 OF 2026

Sudam Eknath Khandagale

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. A.K. Bhosale, Advocate for the appellant
Mr. D.J. Patil, APP for the State

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CORAM : SIDDHESHWAR S. THOMBRE, J.
(VACATION COURT)

DATE : 22nd MAY, 2026

ORDER :

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, Gangapur, Chhatrapati Sambhajinagar dated 13.04.2026 in Sessions Case No. 205 of 2025.

4. Learned counsel pointed out that present applicant was held guilty by the learned Additional Sessions Judge, Gangapur, Chhatrapati Sambhajnagar vide judgment dated 13.04.2026 passed in Sessions Case No. 205 of 2025 under Section 201 read with 34 of Indian Penal Code. That, maximum punishment inflicted upon the applicant is of three years 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.

5. 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.

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 No. 392 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 in in Sessions Case No. 205 of 2025 by the learned Additional Sessions Judge, Gangapur, District-Chhatrapati Sambhajanagar on 13.04.2026, stands suspended till the final hearing and disposal of Criminal Appeal No. 392 of 2026.
- (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