

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 1973 OF 2026
IN APEAL/410/2026**

1. KUNDLIK ANKUSHRAO SURYAWANSHI
2. GAJANAN SHANKARRAO KHARVADE
3. YAMUNABAI KUNDLIK SURYAWANSHI

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. Rajendra V. Dasalkar, Advocate for Applicants.

Mr. S. P. Joshi, APP for Respondents-State

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**CORAM : S. G. CHAPALGAONKAR, J.
[VACATION COURT]**

DATE : 29 MAY, 2026

PER COURT :

1. Heard learned Advocate appearing for Applicants and learned APP appearing for respondent/State.
2. Issue notice to Respondents. Learned APP waives service of notice for Respondent – State.
3. Instant application is for suspension of sentence and grant of bail on account of the conviction recorded by the learned Additional Sessions Judge, Parbhani, dated 04.05.2026 in Special (Atrocity) Case No. 151/2020 and in Crime No. 154/2020 registered at Gramin Police Station, District Parbhani under Sections 324, 323, 504, 34 of IPC and under Section 3(2) (va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989. The Applicants have been convicted for offences punishable under Sections 323, 324 r/w 34 of Indian Penal Code and sentenced to suffer simple imprisonment for period of six months and fine of Rs. 1000/-. In default of payment of fine, they shall undergo simple imprisonment of

one month. The substantive sentence imposed upon Applicants is suspended by Trial Court.

4. Perusal of record indicates that Applicants were enlarged on bail during course of trial. They have not misused liberty.

5. Considering short sentence, a case is made out to release them on bail pending Appeal. In result, following order is passed :

ORDER

(I) Criminal Application stands allowed.

(II) The substantive sentence imposed on Applicants vide judgment and order dated 04.05.2026 passed by Additional Sessions Judge, Parbhani in Special (Atrocity) Case No. 151/2020, whereby they have been convicted for the offences punishable under Sections 323, 324 r/w 34 of Indian Penal Code and sentenced to suffer simple imprisonment for period of six months and fine of Rs. 1000/-. In default of payment of fine, they shall undergo simple imprisonment of one month, are suspended till conclusion of Appeal.

(III) The Applicants be released on bail on executing P.B. and S.B. of Rs.30,000/- (Rupees Thirty Thousand Only) with one solvent surety in like amount.

(IV) Bail before the trial Court.

[S. G. CHAPALGAONKAR]
JUDGE