IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRI-INTERIM APPLICATION NO. 649 OF 2026
IN
CR. APPEAL NO. 250 OF 2026

Sanjay Dhanu Pawar .....Applicant

Versus

The State Of Maharashtra .....Respondent

- *Mr. Pravin Jadhav i/b. Mr. Vikrant V. Phatate for Applicant.*
- *Mr. Kumar V. Saste, A.P.P. for the Respondent-State.*

Coram : ASHWIN D. BHOBE, J.

Date : 14th October 2026.

PER COURT :

1. Heard Mr. Praveen Jadhav, learned Advocate for the Applicant and Mr. Kumar V. Saste, learned A.P.P. for the Respondent-State.

2. By the present Interim Application, the Applicant has sought for the following substantive relief :

> *"b) pending the hearing and final disposal of Criminal Appeal filed by the Applicant challenging the impugned judgment and order dated 16.09.2026 passed by the Ld. Addl. Sessions Judge,*

Solapur in Session Case No. 56 of 2021, the Applicant may kindly be enlarged on bail on such terms and conditions as this Hon'ble Court may deem fit and proper."

3. The Applicant is Accused No. 2 in Sessions Case No. 56 of 2021. By Judgment and Order dated 16th September 2026, passed by the learned Additional Sessions Judge, Solapur (the Trial Court), the Applicant has been convicted for the offences punishable under Section 489-C of the Indian Penal Code and sentenced to suffer rigorous imprisonment for three years and to pay a fine of Rs. 3,000/-.

4. Upon pronouncement of the impugned Judgment, the Applicant preferred an Application under Section 389(3) of the Code of Criminal Procedure, 1973, seeking suspension of the sentence pending the Appeal period. By order dated 16th September 2026, the Trial Court suspended the sentence for a period of 30 days, which would expire on 16th October 2026.

5. Mr. Praveen Jadhav, learned Advocate for the Applicant, submits that the Applicant was on bail during the pendency of Sessions Case No. 56 of 2021. He further submits that the Applicant has not violated any of the bail conditions and has regularly attended the proceedings before the Sessions Court whenever the matter was listed.

6. Mr. Kumar V. Saste, learned A.P.P. for the Respondent-State, submits

that the maximum sentence imposed upon the Applicant by the impugned Judgment is rigorous imprisonment for three years and therefore he leaves the matter to the Court.

7. Perused the record.

8. Criminal Appeal No. 250 of 2026 is admitted. A perusal of the Memo of Appeal and the grounds raised therein challenging the impugned Judgment prima facie indicates that the Applicant has an arguable case on merits and a fair chance of acquittal. Considering that the Applicant was on bail during the pendency of Sessions Case No. 56 of 2021 and there being no allegations of breach of any bail conditions, I deem it fit and proper to allow the Interim Application in terms of prayer clause (b).

9. Consequently, the sentence imposed by the Judgment and Order dated 16th September 2026, passed by the learned Additional Sessions Judge, Solapur, in Sessions Case No. 56 of 2021, is suspended during the pendency of Criminal Appeal No. 250 of 2026 and the Applicant is directed to be released on bail on the following conditions:

(i) The Applicant shall be released on bail in connection with Crime No. 953 of 2020, registered with Vijapur Naka Police Station, District Solapur upon furnishing a P.R. bond of Rs. 15,000/- (Rupees Fifteen Thousand only), with one or two sureties in the

like amount to the satisfaction of the Additional Sessions Judge, Solapur.

(ii) Within seven days from today, the Applicant shall provide the Investigating Officer of Crime No. 953 of 2020 with his residential address along with proof, his contact numbers, email and must inform the Investigating Officer of any changes to this information from time to time.

(iii) Fine shall be deposited before the Trial Court within two weeks, if not already deposited.

(iv) The Applicant shall remain present before this Court whenever Criminal Appeal No. 250 of 2026 is listed on the cause list.

10. Interim Application No. 649 of 2026 is disposed of.

[ASHWIN D. BHOBE, J.]

OMKAR SHIVAHAR KUMBHAKARN
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