

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR  
CRIMINAL APPELLATE JURISDICTION

CRI-INTERIM APPLICATION NO. 3553 OF 2025  
IN  
CR. APPEAL NO. 27 OF 2026

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Sunil Limbaji Mane

... Applicant

**Versus**

The State of Maharashtra

... Respondent

.....  
Mr. Ramnik P. Pawar a/w Samadhan V. Mahamulkar, Amit Waykool,  
Parvej Nadaf, Dinesh Sonalikar and Rahul Gupta for the Applicant.

Mr. Shrikant Yadav, APP for the Respondent - State.  
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**CORAM : MADHAV J. JAMDAR &  
PRAVIN S. PATIL, JJ.**

**DATE : 16<sup>th</sup> MARCH, 2026.**

**P. C. :**

**1.** Heard Mr. Pawar, learned counsel appearing for the applicant and  
Mr. Shrikant Yadav, learned APP for the respondent – State.

**2.** By the present application, the applicant is seeking relief by way of  
suspension of sentence imposed by the learned Additional Sessions  
Judge, Wai and his release on bail on such terms and conditions as deem  
fit and proper.

**3.** The applicant has been convicted under Section 302 of the Indian

Penal Code and has been sentenced to suffer Rigorous Imprisonment for life and to pay fine of Rs.500/-. The applicant has also been convicted for the offence punishable under Section 506 of the Indian Penal Code and sentenced to suffer Rigorous Imprisonment for two years. Both the sentences were directed to run concurrently by Judgment and Order dated 11<sup>th</sup> July 2025 passed by the learned Additional Sessions Judge, Wai in Sessions Case No. 11 of 2023.

**4.** It is the submission of Mr. Pawar, learned Counsel appearing for the applicant that the incident has taken place in a spur of the moment when the applicant, deceased and the eye-witness i.e. PW-3 were under the influence of liquor. He submitted that the incident took place as quarrel took place between these three persons on some trivial issue. He submits that the applicant is not habitual criminal and there are no criminal antecedents and that the applicant has completed 6 years and 9 months of actual imprisonment.

**5.** On the other hand, Mr. Yadav, learned APP strongly opposes the application. He submits that there is eye-witness to the incident and as the applicant is involved in the crime, no relief be granted.

**6.** Perusal of the record shows that even as per the prosecution case

as reflected in the evidence of the eye-witness, the applicant, deceased and eye-witness i.e. PW-3 Kisan S. Jadhav were working together as labourers. Although, they worked for 3 days, the employer has not paid them and therefore, all of them sought their wages and they were collectively paid Rs.500/-. After receiving the said amount, all of them went to a Bar and consumed liquor. After consuming liquor, quarrel took place between them concerning the distribution of the balance amount and quarrel between the applicant and the deceased escalated further when the PW-3 who is eye-witness tried to pacify both of them. However, when they came near a river, the applicant under the influence of the liquor threw the deceased into the river and, as the deceased was drunk, he thereafter died.

**7.** Thus, there is substance in the contention raised by the learned Counsel for the Applicant that the incident took place under the influence of liquor, as all three, i.e., the Applicant, the deceased and the eye-witness PW-3, had consumed liquor. There is also substance in the contention raised by the applicant that the incident was taken place in a spur of the moment.

**8.** Perusal of the record shows that the applicant is behind bars for 6 years and 9 months and considering the pendency of old Appeals in this

Court, Appeal filed by the applicant is not likely to come up for final hearing in near future.

**9.** Thus, in the facts and circumstances, the case is made out for suspension of sentence and release of the applicant on bail during the pendency of Appeal. Hence, we pass following order :

### **ORDER**

[a] The sentence imposed on the applicant by learned Additional Sessions Judge, Wai vide judgment and order dated 11<sup>th</sup> July 2025 passed in Sessions Case No. 11 of 2023 is suspended till the final disposal of Criminal Appeal No.27 of 2026.

[b] The Applicant be released on bail on furnishing PR bond in the sum of Rs.25,000/- each with one or more solvent sureties of like amount in connection with Sessions Case No. 11 of 2023.

[c] The applicant shall attend this Court when the Appeal is listed for final hearing.

**10.** Interim application stands disposed of.

[ PRAVIN S. PATIL, J. ]

[ MADHAV J. JAMDAR, J. ]