

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

CRIMINAL APPELLATE JURISDICTION

CRI-INTERIM APPLICATION NO. 3700 OF 2025
IN
CR. APPEAL NO. 1013 OF 2025

Santosh Yadu Nimbalkar And Another ... Applicants/Appellants

Versus

The State of Maharashtra ... Respondents

Mr. S. Chavan a/w. Ms. Ankita Chindage i/b. Mr. Shrikant H. Panhale for the Applicants/Appellants.

Mrs. S.N. Deshmukh, A.P.P for the Respondent-State.

Coram : MEHROZ K. PATHAN, J.

Date : 16th June 2026.

PER COURT :

1. This is an application for suspension of sentence and releasing the Applicants on bail. The Applicants are convicted and sentenced to suffer rigorous imprisonment for one year for the offence punishable under Sections 323 read with 149 of the Indian Penal Code and other relevant sections.

2. Learned counsel Mr. Chavan submits that the sentence was suspended by the learned Sessions Judge vide order dated 27/11/2025 after the passing of the judgment of conviction against the present Applicants.

3. Learned counsel further submits that this Court vide order dated 22/12/2025 had continued the interim relief granted by the trial Court. The same is continued till date. The Applicants have already paid the fine amount as directed by the impugned judgment. The Appeal is admitted. The Applicants are having good grounds in the Appeal. There is every likelihood that the Applicants may succeed as there is material discrepancy in the version of all the witnesses. Thus, taking into consideration the aforesaid submission and the fact that the Appeal will take its own time for hearing and disposal, I am inclined to pass the following order :-

ORDER

- (i) The Application is allowed.
 - (ii) The substantive sentence passed by the learned Sessions Judge vide judgment and order dated 27/11/2025 is hereby suspended.
 - (iii) The Applicants shall release on the same bonds as directed to be executed vide interim order dated 27/11/2025, suspending the sentence passed by the learned Sessions Judge, Satara.
4. The Application is disposed of in the aforesaid terms.

[MEHROZ K. PATHAN, J.]

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