

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

**CRI-INTERIM APPLICATION NO. 105 OF 2026
IN
CR. APPEAL NO. 1008 OF 2025**

Ganesh Shamrao Kharat
VERSUS
The State Of Maharashtra

Mr. Rahul P Kasbekar, Advocate for Applicant
Mr. Nitin B. Patil APP for the State

**CORAM : SACHIN S. DESHMUKH, J.
DATE : 18th MARCH 2026.**

P.C.

1. Heard the learned counsel for the applicant and the learned app for the respondent-State.
2. By this application, the applicant is seeking suspension of sentence imposed upon him by the Additional Sessions Judge, Vaduj vide Judgment and Order dated 26/06/2025 in Sessions Case No. 14/2019.
3. Learned counsel for the applicant submits that the fine amount is deposited. The applicant was on bail during the pendency of the trial. If the applicant released on bail, he will not misuse the liberty. Hence, prayed to allow the application.
4. It is contention of learned APP that the prosecution has proved the case beyond reasonable doubt. The Trial Court has rendered a

well reasoned order. As such, no interference is warranted. Hence, prayed to reject the application.

5. Having heard the matter at length, learned counsel for the applicant has advanced various submissions, touching the merits of the case and alleged infirmities in the order under challenge. Those submissions at this stage have been noted.

6. However, this Court is of the view that a detailed examination of those aspects would necessarily require appreciation of the entire evidence on record which would be more appropriately taken at the stage of final hearing. Therefore, without expressing any opinion on the merits of the case and keeping all issues open for consideration at the time of final disposal of appeal, I am inclined to exercise power under section 389(1) of the Cr.P.C.

7. Moreover, it is unlikely that the appeal will be heard and concluded in the near future. Considering that the sentence imposed upon the applicant is a short term sentence, I pass following order:

ORDER

- I. The interim application is allowed.
- II. The substantive sentence of imprisonment imposed upon the applicant by the Additional Sessions Judge, Vaduj vide Judgment and Order dated 26/06/2025 in Sessions Case No. 14/2019, is hereby suspended.

- III. The applicant Ganesh Shamrao Kharat be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 10,000/- (Rs. Ten thousand only) and one solvent surety in the like amount.
- IV. Applicant shall mark his presence before Additional Sessions Judge, Vaduj once in three months on the date assigned by the concerned court.

(SACHIN S. DESHMUKH, J.)

IRESH
MASHAL

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