

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

CRI-INTERIM APPLICATION NO. 147 OF 2026
IN
CR. APPEAL NO. 52 OF 2026

SOMNATH ALIAS BABLYA LAXMAN SALUNKHE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Applicant : Mr. Pankaj B. Tapase
APP for Respondent-State : Mr. A. S. Shalgaonkar
Advocate for Respondent No. 2 : Mr. Twinkal Prashant
Kotawadekar (Appointed)

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CORAM : SACHIN S. DESHMUKH, J.
Date : 10th April, 2026

PER COURT :-

1. Heard learned counsel for respective sides.
2. By this application, the applicant seeks the suspension of the sentence imposed by the learned Special (SC and ST) Judge, Karad, vide judgment and order dated 31.01.2026 in Special Case No. 35 of 2019. The Special Court convicted the applicant / accused for the offences punishable under Sections 452 and 324 of the Indian Penal Code read with Section 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and sentenced as under :

- (a) The applicant / accused is sentenced to suffer rigorous imprisonment of 3 years and shall pay fine of Rs. 10,000/- for the offence punishable under Section 452 of the IPC
- (b) The applicant / accused is sentenced to suffer rigorous imprisonment of 3 years and shall pay fine of Rs.10,000/- for the offence punishable under Section 324 of the IPC r/w Section 3(2)(va) of the SC and ST (Prevention of Atrocities) Act.

3. Learned counsel for the applicant submits that fine amount is deposited by the applicant. The applicant was on bail during the course of trial and has not misused the liberty. Hence, requested to allow the application.

4. It is contention of learned APP that prosecution has proved the case beyond the reasonable doubt. The Trial Court has rendered a well reasoned order and no interference is required in it. Hence, requested to reject the application.

5. I have heard both learned counsel, perused impugned Judgment and Order. The applicant is on bail during the course of trial and has not misused the liberty. The sentence imposed upon the applicant is a short term sentence and this Court would not be

in a position to take up the matter for final hearing immediately.

Hence, following order.

ORDER

I. The application is **allowed**.

II. The substantive sentence of imprisonment awarded to the applicant by the learned Special (SC and ST) Judge, Karad, vide judgment and order dated 31.01.2026 in Special Case No. 35 of 2019 is hereby suspended.

III. The applicant be enlarged on bail on furnishing PR Bond in the sum of Rs. 25,000/- (Rs. Twenty Five Thousand Only) and one solvent surety in the like amount.

IV. Applicant shall mark his presence before the the learned Special (SC and ST) Judge, Karad once in three months on the date assigned by the concerned Court.

The application is disposed of accordingly.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi