

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRI-INTERIM APPLICATION NO. 173 OF 2026
IN
CR. REVISION APPLN. NO. 19 OF 2026**

1) Hanumant Dnyandev Sarade
2) Kalu Bapu Nemhane
3) Devidas @ Changdev Popat Dargude

VERSUS

The State Of Maharashtra

Mr. Jaydeep Mane a/w Mr. Mihir M. Mr. Yash Fadtare, for applicants
Dr. A. A. Takalkar APP for the State

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

P.C.

1. Heard the learned counsel for the applicants and the learned APP for the respondent-State.
2. By this application, the applicants seek suspension of sentence imposed upon him by the learned Judicial Magistrate First Class, Karmala vide Judgment and Order dated 17/07/2017 in Reg. Criminal Case No. 191/2007.
3. The applicants have been convicted for the offences punishable under sections 323, 326, 325, 324 and 506 r/w 34 of the Indian Penal Code, 1860.
4. Learned counsel for the applicants submit that the fine amount is paid. The applicants were on bail during the pendency of the trial. If the applicants are released on bail, they will not misuse the liberty.

Hence, prayed to allow the application.

5. 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.

6. Having heard the matter at length, the learned counsel for the applicants 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.

7. 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 Revision, I am inclined to exercise powers under section 389(1) of the Code of Criminal Procedure, 1973.

8. Moreover, it is unlikely that the Revision 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 Applications is allowed.

II. The substantive sentence of imprisonment imposed upon the

applicants by the learned Judicial Magistrate First Class, Karmala vide Judgment and Order dated 17/07/2017 in Reg. Criminal Case No. 191/2007, is hereby suspended.

- III. The applicants 1) Hanumant Dnyandev Sarade 2) Kalu Babu Nemhane and 3) Devidas @ Changdev Popat Dargude be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- (Rs. Twenty Five Thousand only) each and one solvent surety in the like amount.
- IV. Applicants shall mark their presence before the learned Judicial Magistrate First Class, Karmala once every three months on the date assigned by the concerned court.

(SACHIN S. DESHMUKH, J.)

IRESH
MASHAL

Digitally signed by
IRESH MASHAL
Date: 2026.03.26
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