

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

**INTERIM APPLICATION NO. 215 OF 2026
IN
CRIMINAL APPEAL NO. 993 OF 2025**

Rohidas Balkrishna Sawant. ...Applicant-Appellant.

Versus

The State of Maharashtra and Anr. ... Respondents.

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Mr. Amit Sale, Mr. Aditya Raktae, Mr. Sumit Vhanbhatte and Mr. Sudhir Patil, Advocates for the Petitioner.
Mr. Avinash A. Naik, APP for the Respondent-State.

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**CORAM : SHREE CHANDRASHEKHAR, CJ &
MADHAV J. JAMDAR, J.**

DATE : 24th APRIL, 2026.

P. C. :

. This suspension of sentence application has been moved by the convict who faced trial on the charge of committing offence under sections 302, 324 and 510 of the Indian Penal Code in Sessions Case No.29 of 2019 vide Exhibit-100.

2. The case of the prosecution is that the appellant attempted to commit murder of Amol in the evening of 24th July 2018 while he was in intoxicated condition. During the investigation of FIR No. 242 of 2018, Amol passed away and offence under section 302 of IPC was added in the report

3. In the trial, prosecution examined 21 witnesses, out of whom PW-15 Dr. Madhuri Dipak Kurade, PW-20 Dr. Ashwini Padmakar Mahamuni and PW-21 Dr. Ajit Patil tendered their opinion on the

nature of injuries caused to Amol and the cause of death. The medical opinion is that the cause of death is septicemia and Amol passed away after 4 days of the occurrence.

4. Mr. Naik, learned Additional Public Prosecutor opposed the application seeking suspension of sentence on the ground that the witnesses have fully supported the occurrence and the appellant has been rightly held guilty for committing murder of Amol.

5. Having regard to the cause of death, as disclosed in the post-mortem report, a question arises whether the death of Amol is a direct consequence of the assault upon him by the appellant. While examining this issue, it is also necessary to keep in mind that Amol died on 27th July 2018, i.e., 4 days after the occurrence.

6. In our opinion, a *prima facie* case is made out by the appellant for suspension of sentence. Therefore, the sentence imposed on Applicant-Rohidas Balkrishna Sawant by learned Additional Sessions Judge, Karad vide judgment and order dated 8th October 2025 passed in Sessions Case No. 29 of 2019 is suspended till the final disposal of Criminal Appeal No. 993 of 2025. The Applicant above-named be released on furnishing PR bond in the sum of Rs.15,000/- with solvent sureties of like amount. The bail bonds shall be to the satisfaction of the trial Court. Till Criminal Appeal No. 993 of 2025 is disposed of, the Applicant shall report to the Trial Court on the 1st Monday of every quarter commencing from May 2026. The Applicant shall attend or be represented through counsel this Court when the appeal is listed for final hearing.

7. Application stands disposed of.

[MADHAV J. JAMDAR, J.]

[CHIEF JUSTICE]