

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

CRI-INTERIM APPLICATION NO. 289 OF 2026
IN
CR. REVISION APPLN. NO. 33 OF 2026

Sakharam Narayan Rahate
VERSUS
The State Of Maharashtra

Mr. Dipak Shingare a/w Ms. Poonam Dhotre a/w Mr. Rafik Kashid,
Mr. Rakesh Rahate Advocate for Applicant
Mr. P. P. Deokar, APP for the Respondent-State

CORAM : SACHIN S. DESHMUKH, J.
DATE : 5th MAY 2026.

P. C. :

1. Heard.
2. Issue notice. Learned A.P.P. waives service of notice for the respondent-State.
3. The applicant seeks suspension of sentence awarded in judgment and order dated 16/02/2023 rendered by the learned Judicial Magistrate First Class, Deorukh in R.C.C. No. 32/2017 which is endorsed by Additional Sessions Judge, Ratnagiri in Cri. Appeal No. 5/2023.
4. The applicant is convicted and sentence awarded to the

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applicant is as under :

1. Accused Sakharam Narayan Rahate is hereby convicted vide Section 248(2) of the Code of Criminal Procedure, 1973 of the offence punishable under Section 325 of IPC and is sentenced to suffer rigorous imprisonment for six months and to pay fine of Rs. 4,000/- (Rupees Four Thousand).
2. Accused Sakharam Narayan Rahate is hereby convicted vide Section 248(2) of the Code of Criminal Procedure, 1973 of the offence punishable under Section 506 of IPC and is sentenced to suffer rigorous imprisonment for three months and to pay fine of Rs. 1,000/- (Rupees One Thousand).
4. In default of payment of fine, the accused shall suffer further rigorous imprisonment for one month.
5. Learned counsel for the applicant submits that the trial court's judgment is contrary to the law and the evidence on record. It is contended that the court erred in convicting the applicant. Hence, the impugned order is liable to be quashed and set aside.
6. It is contention of learned APP that prosecution has proved the case beyond reasonable doubt. The learned trial Court has rendered a well reasoned order and no interference is required in it. Hence, prayed to reject the application.
7. Having heard both learned counsel and perused the impugned judgment, I find that certain plausible grounds are raised by the

applicant and considering that the applicant is awarded a short-term sentence, coupled with the fact that disposal of the Revision may take a considerable period, the sentence deserves to be suspended.

Hence, the order :

ORDER

- (i) The Interim Application is allowed.
- (ii) The sentence awarded in judgment and order dated 16/02/2023 rendered by the learned Judicial Magistrate First Class, Deorukh in R.C.C. No. 32/2017 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), and one solvent surety, in the like amount, before the Trial Court.
- (iv) Applicant shall mark presence before the concerned Trial Court, once in three months on the date assigned by the concerned Court.
- (v) The criminal interim application is disposed of accordingly.

[SACHIN S. DESHMUKH, J.]