N.S.Kamble

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 94 OF 2026
IN
CRIMINAL APPEAL NO. 37 OF 2026

Sagar Paresh Gosaliya … Applicant

Versus

State Of Maharashtra And Anr … Respondents

NILAM SANTOSH KAMBLE
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Date: 2026.01.20 11:31:09 +0530

Mr.Himanshu R. More a/w Mr.Ashi Naryan h/f Mr.Prakash Sabingikar, for the Applicant.
Mr.P.P. Jadhav, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th JANUARY, 2026

P.C. :

. This is an application for suspension of sentence.

2. Heard learned counsel for the Applicant and the learned Additional Public Prosecutor.

3. The Applicant has been convicted for the offence punishable under Section 353 and 332 of the Indian Penal Code ('IPC' for short). The maximum sentence imposed on the Applicant for the offence

punishable under Section 353 is two years with fine of Rs.5,000/- and Section 332 is one year and simple imprisonment ('SI' for short) with fine of Rs.2,500/-. The learned Sessions Court has suspended the sentence during the appeal period and has granted interim bail to the Applicant.

4. During the trial the Applicant was on bail. The Applicant has deposited the fine amount. It may take time to dispose of the Appeal. Hence, requested to allow the Application.

5. The learned APP and learned counsel for Respondent No.2 strongly objected to allow the Application on the ground that if the Applicant released on bail, he may abscond. Hence, requested to reject the Application.

6. Considering the submission of both learned counsel as well as sentence imposed on the Applicant is short term sentence. During trial Applicant was on bail. He has not misused the liberty. Considering these facts, the sentence is suspended till final disposal of the Appeal.

7. The Application is disposed of in the following terms.

N.S.Kamble

ORDER

(i) The substantive sentence of imprisonment awarded to the applicant is hereby suspended pending disposal of the appeal, subject to the applicant furnishing a PR bond in the sum of Rs.15,000/- with one or two sureties in the like amount.

(ii) The bail bonds to be furnished before the learned Additional Sessions Judge.

(iii) The Criminal Application is disposed of.

(SHIVKUMAR DIGE, J.)