IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2538 OF 2025
IN
CRIMINAL APPEAL NO. 643 OF 2025

Suraj Rambhavan Jayswar .... Applicant

v/s.

The State of Maharashtra .... Respondent

Mr. Ganesh K. Gole a/w. Mr. Aarif Ali M. Ali for the Applicant/Appellant.
Smt. Madhavi H. Mhatre, APP for the Respondent – State.

CORAM: A.S. GADKARI AND
SHYAM C. CHANDAK, JJ.

DATED : 13th JANUARY, 2026.

P. C. :-

1) This is an Application for suspension of sentence and releasing the Applicant (Ori. Ac. No.3) on bail. The Applicant is convicted under Sections 302, 392, 394 and 397 read with 34 of the Indian Penal Code, by the learned Additional Sessions Judge, Panvel, District Raigad in Sessions Case No.165/2019 by its Judgment and Order dated 17th May, 2025.

2) The Nominal Roll produced on record by the learned APP indicates that, as of today, the Applicant has undergone about 11 years and 02 months in incarceration at pre-trial and post conviction stage. The

possibility of hearing his substantive Appeal in near future is remote.

3) In view of the observations made by the Hon'ble Supreme Court in the case of *Saudan Singh Vs. State of Uttar Pradesh,* reported in *2022 SCC OnLine SC 697* and *Suleman Vs. The State of Uttar Pradesh, in Miscellaneous Application No.764 of 2022, dated 15th September 2022,* the Applicant is entitled for suspension of his sentence and be released on bail, during the pendency of his Appeal.

3.1) Hence, the following Order :-

ORDER

(i) During the pendency of Appeal preferred by the Applicant, the substantive sentence imposed upon the Applicant vide Judgment and Order dated 17th May, 2025, passed by the Additional Sessions Judge, Panvel, District Raigad in Sessions Case No.165 of 2019, is suspended and the Applicant is released on bail on his furnishing PR bond of Rs.50,000/- with one or more sureties in the like amount.

(ii) After his release from jail, the Applicant shall attend the Kharghar Police Station, Navi Mumbai on every first Monday of each month between 10.00 a.m. and 12.00 noon and mark his presence initially for a period of one year and thereafter on every first Monday between 10.00 a.m. and 12.00 noon of every third calender month i.e. four times in a year till the disposal of Appeal.

(iii) The Applicant shall make himself available at the time of hearing of the Appeal.

(iv) In case of breach of conditions imposed upon the Applicant on two consecutive occasions, the prosecution is at liberty to file an Application for cancellation of bail, before this Court.

4) Application is allowed in the aforesaid terms.

(SHYAM C. CHANDAK, J.) (A.S. GADKARI, J.)

PREETI HEERO JAYANI
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