

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4776 OF 2025
IN
CRIMINAL APPEAL NO. 1250 OF 2025**

Gorakshnath Vishnu Jadhav

... Applicant

Versus

The State of Maharashtra

... Respondent

SONALI
SATISH
KILAJE

Digitally signed
by SONALI
SATISH KILAJE
Date:
2026.01.16
18:06:37 +0700

Mr. Ankur Pahade i/b. Mr. Chetan Deshmukh, Advocate for the Applicant
Mr. M.G.Patil, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 14th JANUARY, 2026.

P.C. :

1. By this application, the applicant is seeking suspension of sentence.
2. It is contention of learned counsel for the applicant that applicant has been convicted under Rule 3 read with Rule 6 of the Passport (Entry into India) Rules, 1950 paragraph 3(1) of the Foreigners Order, 1948 read with 3(6) of Bhartiya Nyaya Sanhita, 2023 (for short “BNS Act”), vide Section 235(2) of the Criminal Procedure Code, 1973 and sentenced to suffer one year simple imprisonment and pay fine of Rs.500/- and in default to suffer simple imprisonment for three days. Leaned counsel for the applicant submits that applicant was on bail. The applicant

S.S.Kilaje

has deposited the fine amount, hence requested to allow the application.

3. Learned APP strongly objected to allow the application on the ground if applicant's sentence is suspended he may abscond, hence requested to reject the application.

4. I have heard both learned counsel. Perused impugned Judgment and order. The sentence imposed on the applicant is a short term sentence. During trial applicant was on bail. He has not misused the liberty. It may take time to dispose of the appeal. In view of above, I pass following order.

ORDER

- i. The substantive sentence imposed on the applicant in Sessions Case No. 384 of 2024 is suspended till disposal of the appeal.
 - ii. The applicant be enlarged on bail on furnishing P.R.Bond in the sum of Rs. 25,000/- with one or two surety in the like amount.
 - iii. The bail bond to be furnished before the Trial Court.
5. Interim application stands disposed of.

(SHIVKUMAR DIGE, J.)