

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 274 OF 2026
IN
CRIMINAL REVISION APPLICATION NO. 28 OF 2026**

1. Nitin Sudam Yadav
2. Ramesh Ramchandra Kolhekar
....Applicants

Versus

State Of Maharashtra
.....Respondent

Ms. Deepali Bagla, Advocate for the Applicants.

Ms. Mahalaxmi Ganpathy, APP for Respondent-State.

PSI – Shekhar Pawar, R.A.K.Marg Police Station, Mumbai, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 2nd FEBRUARY, 2026.

P.C. :

1. By this application, the applicants are seeking suspension of sentence.

2. It is contention of learned counsel for the applicants that the applicants have been convicted under Section 392 r/w 34 of Indian Penal Code, 1860 (for short “IPC”) and sentenced to suffer two years rigorous imprisonment and fine of Rs.500/- each and in default of payment of fine, shall suffer three months rigorous imprisonment. Learned counsel for the applicants submitted that the applicants have deposited the fine amount. The applicants are behind bar for 4 years and 15 days. During the trial the

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applicants were on bail and requested to allow the application.

3. Learned APP strongly objected to allow the application on the ground if applicants' sentence is suspended they 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 applicants is a short term sentence. During trial the applicants were on bail. They have 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 applicants in C.R.No.32 of 2013 registered with R.A.K.Marg Police Station, Mumbai, is suspended till disposal of the appeal.
 - ii. The applicants be enlarged on bail on furnishing P.R.Bond in the sum of Rs. 25,000/- each, with one or two sureties in the like amount.
 - iii. The bail bond to be furnished before the Trial Court.
5. Interim application stands disposed of.

(SHIVKUMAR DIGE, J.)