

Rohit Ghuge

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 389 OF 2026
IN
APEAL/134/2026**

Shailesh Jayantilal Thakkar

... Applicant

Versus

The State of Maharashtra

... Respondent

Mr. Mayank Gandhi a/w Mr. Gaurav Lele & Mr. Nirav Choradiya,
Advocate for the Applicant.

Mr. M. G. Patil, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th FEBRUARY 2026

P.C. :

1. By this application, the applicant is seeking suspension of sentence and bail during the pendency of appeal filed by the applicant.
2. The applicant has been convicted for the offence punishable under Section 328, 188, 273 of Indian Penal Code and sentenced to suffer rigorous imprisonment of three years and to pay fine of Rs.25000/- (Rupees Twenty Five Thousand Only), and in default, to suffer rigorous imprisonment for 1 (one) year. For offence punishable under Section 188 of Indian Penal Code, the applicant is sentenced to suffer rigorous imprisonment for period of six months and to pay fine of Rs. 1,000/- and in default, to suffer rigorous imprisonment for 2 (two) months and for offence punishable under Section 273 of Indian Penal Code, (the applicant is sentenced to suffer rigorous imprisonment for period of six months and

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pay fine of Rs. 1,000/- in default, to suffer rigorous imprisonment of two months.

3. It is contention of learned counsel for the applicant that the trial Court has granted bail and suspended his sentence during the appeal period. The applicant has deposited the fine amount. During the trial, the applicant was on bail and he has not misused the liberty. Hence, requested to allow the application.

4. The learned APP for respondent-State strongly objected to allow the application.

5. I have heard both learned counsel.

6. The maximum sentence imposed on the applicant is of three years. The trial Court has granted bail to the applicant and suspended his sentence during the appeal period. During the trial, the applicant was on bail and he has not misused the liberty. It may take time to dispose of the appeal.

7. In view of above, the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of the appeal, on the following terms and conditions.

ORDER

- i. The applicant be enlarged on bail on furnishing P. R. Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- ii. The bail bond to be furnished before the Trial Court.

Interim Application stands disposed of.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)