

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 398 OF 2026
IN
CRIMINAL APPEAL NO. 137 OF 2026**

Akshay Dnyaneshwar Desai

... Appellant

Versus

The State of Maharashtra

... Respondent

Mr. Chetan Deshmukh, Advocate for the Appellant.
Smt. K.T.Hiwrale, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th MARCH, 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 Sections 353, 332, 323, and 506 of the Indian Penal Code, 1860 ("IPC"). For the offence punishable under Section 353 the applicant is sentenced to suffer imprisonment for one year; for the punishable offence under Section 332 the applicant is sentenced to suffer imprisonment for one year; for the offence punishable under Section 323 the applicant is sentenced to suffer imprisonment for six months; for the offence punishable under Section 506 the applicant is sentenced to suffer imprisonment for six months.

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3. Learned counsel for the applicant submits that applicant was on bail and he has not misused the liberty. Hence, requested to allow the application.

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

5. 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.

6. 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. 25,000/- with one or two sureties in the like amount.
 - ii. The bail bond to be furnished before the Trial Court.
7. Interim application stands disposed of.
8. All concerned to act on an authenticated copy of this order.

(SHIVKUMAR DIGE, J.)