

N.S.Kamble

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 638 OF 2026
IN
CRIMINAL APPEAL NO. 196 OF 2026

Dilip Budhaji Wagh And Ors

... Applicants

Versus

State Of Maharashtra And Anr

... Respondents

NILAM
SANTOSH
KAMBLE

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Ms.Mrunal Bhide a/w Mr.Ayush Pasbola, for the Appellants/Applicants.
Mr.P.P. Jadhav, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 26th MARCH 2026P.C. :

. This is an application for suspension of sentence and for bail.

2. Heard learned counsel for the Applicants and the learned Additional Public Prosecutor.

3. The Applicants have been convicted for the offence punishable under Sections 353 read with Section 34 of the Indian Penal Code ('IPC' for short). The maximum sentence imposed on the Applicants is six months with fine of Rs.1,000/-, in default of payment of fine simple imprisonment for one month.

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3. The Applicants have been also been convicted for the offence punishable under Section 506 read with section 34 of the IPC and sentenced to pay fine of Rs.1,000/- in default to suffer SI for one month. The learned Additional Sessions Court has suspended the sentence during the appeal period and has granted interim bail to the Applicant.

4. During the trial the Applicants were on bail. The Applicants have deposited the fine amount. It may take time to dispose of the Appeal. Hence, requested to allow the Application.

5. The learned APP and learned counsel for Respondent No.2 strongly objected to allow the Application on the ground that if the Applicant released on bail, he may abscond. Hence, requested to reject the Application.

6. Considering the submission of both learned counsel as well as sentence imposed on the Applicants is short term sentence. During trial Applicants were on bail. They have not misused the liberty. Considering these facts, the sentence is suspended till final disposal of the Appeal.

7. The Application is disposed of in the following terms.

ORDER

(i) The substantive sentence of imprisonment awarded to the applicants is hereby suspended pending disposal of the

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appeal, subject to the applicants furnishing a PR bond in the sum of Rs.15,000/- each with one or two sureties in the like amount each.

(ii) The bail bonds to be furnished before the learned Additional Sessions Judge.

(iii) The Criminal Application is disposed of.

(SHIVKUMAR DIGE, J.)