

Rohit Ghuge

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 651 OF 2026

IN

CRIMINAL APPEAL NO. 203 OF 2026

1. Amol Vitthal Wagh
2. Pappu @ Akshay Dnyaneshwar Wagh
3. Dnyaneshwar Bhikaji Wagh ... Applicants/
Appellants

Versus

1. The State of Maharashtra
2. Sangita Bharat Gaikwad ...Respondents

Mr. Pratik Kalantri, Advocate for the Applicant.

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

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th MARCH, 2026.

P.C. :

- . This is an application for suspension of sentence and bail.
2. Heard learned counsel for the applicants and learned APP.
3. The applicants have been convicted in C. R No. 55 of 2017 for the offence punishable under Section 324 read with section 34 of Indian Penal Code vide Section 235(2) of the Criminal Procedure Code, 1973 and sentenced to suffer imprisonment for one year each and to pay fine of Rs.500/- each (Rupees Five Hundred each Only), in default to suffer simple imprisonment for 8 (Eight) days. The applicants have been convicted for the offence punishable under Section 323 read with section 34 of Indian Penal Code vide Section 235(2) of the Criminal Procedure Code, 1973 and sentenced to suffer imprisonment for 3 (three) months each. Both the sentences to run concurrently.

This order is corrected in view of speaking to the minutes order dated 24th March 2026.

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4. It is the contention of learned counsel for the applicants that the trial Court has granted bail and suspended applicants sentence during the appeal period. During the trial, the applicants were on bail and they have not misused the liberty. Hence, requested to allow the application.

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

6. I have heard both learned counsel.

7. The maximum sentence imposed on the applicants is of one year. The trial Court has granted bail to the applicants and suspended their sentence during the appeal period. During the trial, the applicants were on bail and they have not misused the liberty. It may take time to dispose of the appeal.

8. In view of above, the applicants' sentence is suspended and they are enlarged on bail, pending the hearing and final disposal of the appeal, on the following terms and conditions.

ORDER

(i) The applicants, be enlarged on bail in C.R. No. 55 of 2017 of Nashik Taluka Police Station, Dist. Nanded on furnishing PR bond in the sum of Rs.30,000/- each with one or two sureties in the like amount.

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

(iii) The Interim Application is disposed of.

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

(SHIVKUMAR DIGE, J.)