

Rohit Ghuge

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1466 OF 2026
IN
APPEAL NO. 397 OF 2026

Manohar Uttam Gavare and ors.

Versus

The State of Maharashtra

Mr. Chetan Deshmukh, Advocate for Applicants.

Mr. S. R. Agarkar, APP for Respondent-State.

Mr. Sharad Patil, API, Panchwati Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th MAY, 2026.

P.C. :

1. This is an application for suspension of sentence and bail.
2. The applicants have been convicted for the offences punishable under Section 353 r/w Section 34 of IPC and sentenced to suffer rigorous imprisonment for one year and to pay fine of Rs.500/- each, in default to suffer simple imprisonment for eight days.
3. The applicants are also convicted for the offences punishable under Section 332 r/w Section 34 of IPC and sentenced to suffer rigorous imprisonment for six months each.
4. The applicants have been convicted for the offences punishable under Section 186 r/w Section 34 of IPC and sentenced to suffer rigorous imprisonment for one month each.
5. The applicants have been convicted for the offences punishable under Section 504 r/w Section 34 of IPC and sentenced to suffer rigorous imprisonment for six months each.

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6. It is the contention of learned counsel for the applicant that the trial Court has granted bail and suspended the sentence of the applicants during the appeal period. During the trial, the applicants were on bail. Hence, requested to allow the application.

7. The learned APP for Respondent-State strongly objected to allow the application.

8. I have heard both learned counsel.

9. Considering the submissions of both learned counsel as well as sentence imposed on the Applicants is short term sentence. During trial Applicants were on bail and there are no allegations that they misused the liberty granted to them. Considering these facts, the sentence is suspended till final disposal of the Appeal.

10. 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 appeal, subject to the applicants furnishing a PR bond in the sum of Rs.25,000/- each with one or two sureties in the like amount.
- (ii) The bail bonds to be furnished before the learned Additional Sessions Judge.
- (iii) The Interim Application is disposed of.

(SHIVKUMAR DIGE, J.)