



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPR) NO.269 OF 2025
IN
CRIMINAL REVISION APPLICATION NO.207 OF 2025
Bhimrao s/o Bapunya Tekam .Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr. A.A. Patil, Advocate h/f Mr. V.G.Bhambyrkar, Advocate for the applicant.
Mr. A.M. Kadukar, APP for the State.

CORAM : URMILA JOSHI PHALKE, J.
DATE : 27.01.2026

By this application the applicant is seeking suspension of sentence and releasing him on bail.

2. Heard learned counsel for the applicant who submitted that the present applicant was prosecuted of the offence punishable under Section 379 of the Indian Penal Code and sentenced to suffer R.I. for six months and to pay fine of Rs.2000/- and in default of payment of fine the accused shall undergo simple imprisonment for 15 days. The same is confirmed by the Additional Sessions Judge, Yavatmal in Criminal Appeal No.40/2014.

3. Learned counsel for the applicant submitted that fine amount is already paid by him. The revision will take its own time for final disposal. In the meantime

sentence is executed. The filing of the revision would become infructuous. In view of that, the execution of the sentence be suspended and the applicant be released on bail. He further submitted that applicant is having every chance of success in the present revision application.

4. Learned APP strongly opposed the said contention and submitted that revision application itself is not maintainable.

5. On hearing both the sides and on perusal of the impugned judgment under challenged from which learned counsel for the applicant has pointed out that he has many arguable point in the present appeal. Admittedly the present revision will take its own time for final disposal. In the meantime sentence is executed. The revision became infructuous.

6. In view of that, I proceed to pass following order:-

ORDER

(i) The execution and implementation of the judgment and order passed by the Judicial Magistrate First Class Court, Yavatmal (Court No.4) in Criminal Case No.410/2010 and confirmed in Criminal Appeal No.40/2014 by Additional Sessions Judge is hereby stayed and execution of the sentence is suspended till

disposal of the revision application.

7. Call R. and P. and revision be listed for final disposal after record and proceeding is received.

8. Learned counsel for the applicant shall supply copy of application to learned APP for the State.

(URMILA JOSHI PHALKE, J.)

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