



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

CRIMINAL APPLICATION (APPA) NO. 87 OF 2026
IN
CRIMINAL APPEAL NO. 48 OF 2026

SANJAY AMBADAS BHATKAR
VS
STATE OF MAHARASHTRA

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri S.D.Yerawar, Advocate h/f. Shri N.A. Lapalikar, Advocate for
appellant/applicant.
Ms. S.S.Dhote, APP for respondent/State.

CORAM : NEERAJ P. DHOTE, J.
DATE : 20/02/2026

This is an Application for suspension of sentence imposed by the learned Additional Sessions Judge, Akot, District Akola in Sessions Case No. 16/2015 by judgment and order dated 17/01/2026, convicting the Appellant/Applicant for the offence punishable under Section 307 of the Indian Penal Code (for short, 'I.P.C.') and sentencing him to suffer rigorous imprisonment for ten (10) years and pay fine of Rs. 30,000/-, in default, to suffer rigorous imprisonment for six (6) months.

2. It is the case of the prosecution that, on 14/06/2014, the Appellant and the acquitted accused assaulted the informant and one more person on account of theft of sand. The incident took place near the river bed. The injured were assaulted by using spades. The injured had to take a medical treatment for the injuries suffered in the incident. After lodging the F.I.R., the statements of witnesses were

recorded and charge-sheet came to be filed against the Appellant and six (6) others. After trial, the learned Trial Court convicted the Appellant by the impugned judgment and order and acquitted the co-accused.

3. Heard the learned Advocate for the Appellant/Applicant and the learned APP for the State. With their Assistance, perused the papers on record.

4. The report was lodged against the Appellant and other eight (8) persons by one of the injured. Undisputedly, the statement of another injured was recorded after a period of three and half months from the date of incident. Though, according to the Investigating Officer, the injured Vinod was in Coma, his statement was recorded belatedly, is not supported by any other material. The medical evidence on record goes to show that, after a period of five (5) days, the injured Vinod was discharged from the Hospital and subsequently, he had taken treatment in another Hospital. The other co-accused are acquitted on the same evidence. The Appellant was on Bail during the trial. The punishment imposed by the learned Tribunal is in the nature of term sentence. The Appellant has paid the fine amount. The Appeal is recently admitted and there is no possibility that, the Appeal would be heard finally in near future. In view of the above observations, following order is passed:-

ORDER

[I] Criminal Application is **allowed**.

[II] The substantive sentence imposed upon the Appellant/Applicant namely Sanjay Ambadas Bhatkar, by the learned Sessions Judge, Akot District Akola vide Judgment and Order dated 17/01/2026, passed in Sessions Case No. 16/2015, is suspended till the final disposal of the Appeal.

[III] The Appellant/Applicant be released on bail on furnishing P.R. bond of Rs.25,000/- [Rupees Twenty Five Thousand Only] with one surety in the like amount.

[IV] The Applicant shall co-operate in early disposal of the Appeal.

[V] Bail before the Trial Court.

[VI] Hamdast is granted.

[VII] Criminal Application stands **disposed of** accordingly.

(NEERAJ P. DHOTE, J.)