

: ORDER BELOW EXH.97 IN SESSIONS CASE NO.1/2022 :
(CNR No. MHRG15-000020-2022)
(Passed on 08.07.2026)

1) The present application is filed by accused/offender for suspension of sentence dated 08.07.2026, passed by this Court in Sessions Case No.1/2022 and for releasing them on regular bail.

2) Ld. Advocate for accused/offender submitted that in the present case accused no.1 to 3 are sentenced to suffer Rigorous Imprisonment of 02 years for offence punishable under 353, r/w. 34 of I.P.C., and Rigorous Imprisonment of 06 months for offence punishable under section 332 r/w.34 of I.P.C. and accused no.1 is also sentenced suffer Simple Imprisonment of 06 months for offence punishable under 504, r/w. 34 of I.P.C. It is submitted that accused intends to file appeal against said Judgment and accused hope that they will succeed in the appeal. Hence, during appeal period their sentence may be suspended. They have deposited fine amount and also ready to furnish surety. They are local residents and young persons, hence they would not flee from justice. Hence, prayed for suspension of sentence and released accused on bail.

3) Ld. A.P.P. Shri. Mahakal filed say and opposed the application. It is contended that, charges against accused no.1 to 3 under section 353 and 332 of I.P.C. have been proved. Said offence is serious and against administration of justice. Further,

there is no reason to stay conviction order. Hence, prayed for rejection.

4) Heard both the sides, perused application and say.

5) As per provisions of section 389(3) the Trial Court has powers to suspend sentence of accused, if they are sentenced to suffer imprisonment for term not exceeding three years. In the present case accused no.1 to 3 are sentenced to suffer Rigorous Imprisonment of 02 years for offence punishable under section 353 r/w. 34 of I.P.C., Rigorous Imprisonment of 06 months for offence punishable under section 332 r/w. 34 of I.P.C. and accused no.1 is also sentenced to suffer Simple Imprisonment of 06 months for offence punishable under section 504 r/w. 34 of I.P.C. The accused were on bail during trial and not violated terms of bail. The accused are local residents and there is no criminal antecedent of conviction against them. Further, accused intend to prefer an appeal against present Judgment. Hence, it is necessary to afford sufficient time to accused to prefer appeal and obtain orders of Appellate Court. There are no special reason for refusing bail during such period. Taking into consideration the fact that the accused/offender were on bail during trial and their sentence of imprisonment is not exceeding three years. In my opinion, their sentence can be suspended and the accused/offender can be released on regular bail during limitation of appeal period. Hence, I proceed to pass following order :-

: O R D E R :

- 1) The application is allowed.
- 2) The sentence dated 08.07.2026, passed by this Court in Sessions Case No.1/2022, is suspended, during limitation of appeal period against aforesaid Judgment.
- 3) The accused/offender are released on bail, on their executing P. B. of Rs.25,000/- (Rs. Twenty five thousand only) each, with one surety in like amount.
- 4) The present application kept on 11.09.2026 for accused to produce order of Appellate Court suspending sentence for further period, else conviction warrant for execution of sentence under section 418 of Cr.PC. be issued.

(Dictated and pronounced in open Court)

Sd/-

Mangaon.
Date: 08.07.2026.

(M. K. Patil)
Additional Sessions Judge,
Mangaon, Dist. Raigad.