

COMMON ORDER BELOW EXH.5 AND 6 IN
CRIMINAL APPEAL NO. 4/2026
CNR NO. MHRT010001872026

1. By way of present appeal, the appellant/accused has taken exception to the Judgment and order dated 11.11.2025 in RCC No. 34/2025, the applicant/accused has convicted for the offence punishable u/s. 306 of the Bhartiya Nyaya Sanhita and sentenced to suffer Simple Imprisonment for 2 (Two) years and pay fine of Rs. 5000/- (Rupees five Thousand Only), in default, she shall suffer S.I. for 15 days.
2. By way of application Exh-5, the applicant/appellant, has prayed for suspension of substantive sentence passed against her and by way of application Exh. 6 the applicant/appellant has prayed for bail.
3. Perused the application and say. Heard Ld. Counsels respectively.
4. No doubt the appellant is a convict. However, if the application for bail would be rejected the appeal would be became in-fructuous. It is always preferable to hear the appeal on merits. Being first appeal there are always chances of reversal of the impugned order. Hence, it would not be proper to direct the accused to suffer sentence before conclusion of the appeal. The record shows that the applicant was on bail during trial. There are no allegations of breach of any bail condition during trial. It would take some time to hear and dispose off the main appeal on merits. In such circumstances, it is always necessary to give a fair chance to the parties to agitate their matter on merits.

5. Under such circumstances, it is required to enlarge the applicant on bail on condition that she should co-operate the hearing of the present appeal by remaining present on each and every date of hearing and to conclude the hearing. Hence, I pass following order.

ORDER

1. The applications Exh-5 and 6 are hereby allowed.
2. The substantive sentences as per judgment and order dated 11.11.2025 in RCC No. 34/2025 is hereby suspended till the hearing and disposal of this application.
3. During pendency of appeal, the applicant/accused Vaishnavi Vilas Nalawade is hereby enlarged on bail on executing P.B. and S.B. of Rs.25,000/- on following conditions;
 - a) She shall not tamper the prosecution evidence.
 - b) She shall not commit any other or further offence.
 - c) She shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.
 - d) She shall co-operate the hearing of the present application expeditiously and to conclude the hearing within two months from today.

- e) She shall remain present on each and every date in present appeal.
- f) She shall give documentary proof of her identification and permanent residence at the time of their furnishing surety.
- g) She shall not leave India without previous permission of the Court.

4. Informed the concerned accordingly.

Date : 20.05.2026

(V. Y. Jadhav)
Sessions Judge, Ratnagiri.