



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1931 OF 2026
IN
CRIMINAL REVISION PETITION NO.152 OF 2026

1. Sopan Vitthal Kanade
2. Jalindar Sopan Kanade
3. Sudam Babasaheb Ghule
4. Shashikala w/o. Sopan Kanade
5. Bharti @ Swati w/o. Machindra Karpe ... Applicants

Versus

The State of Maharashtra ... Respondent

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Mr. Shashikant E. Shekade, Advocate for Applicants
Mr. B.V. Virdhe, APP for Respondent-State

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**CORAM : SIDDHESHWAR S. THOMBRE, J.
[VACATION COURT]**

DATE : 20th MAY, 2026

PER COURT :

1. Heard.
2. Issue notice to respondent – State. Learned APP waives service of notice on behalf of the respondent – State.
3. The learned Advocate for the Applicants submits that, the Applicants were on bail during the trial as well as during the Appeal period. The applicants have not misused the liberty granted by the Trial Court as well as the Appellate Court. The learned Judicial Magistrate First Class (Court No.2), Georai (Trial Court) convicted the Applicants by the Judgment and Order dated

24.03.2022 passed in Regular Criminal Case No.56/2013 for the offences punishable under Sections 324, 341, 504 r/w. Sec. 149 and Sections 143, 148 of the Indian Penal Code (in short, 'I.P.C.') with fine and further convicted Applicant Nos.1 and 2 for the offence punishable under Section 144 of the IPC, with fine. The conviction recorded by the learned Trial Court was upheld by the learned Additional Sessions Judge, Beed (Appellate Court) in Criminal Appeal No.30/2022 by the Judgment and order dated 07.05.2026.

4. Considering the fact that, the Applicants were on bail during the Trial as well as during the pendency of Appeal, however, due to their absence, they were arrested on NBW and sent to concerned jail. Since then, they are behind the bars. The Applicants have undergone considerable part of their sentence. applicant Nos.1 and 4 are old aged persons. The applicants have made out prima facie case for suspension of their sentence during the pendency of this revision petition. Therefore, I am inclined to suspend the sentence awarded by the learned Trial Court and further upheld by the Appellate Court. Hence, the following order is passed.

ORDER

(I) Criminal Application stands allowed.

(II) The substantive sentence imposed on the applicants 1. Sopan Vitthal Kanade, 2. Jalindar Sopan Kanade, 3. Sudam Babasaheb Ghule, 4. Shashikala w/o. Sopan Kanade, 5. Bharti @ Swati w/o. Machindra Karpe by the learned Trial Court by the Judgment and Order dated 24.03.2022 passed in Regular Criminal Case No.56/2013 for the offences punishable under Sections 324, 341, 504 r/w. Sec. 149 and Sections 143, 148 of the Indian Penal

Code (in short, 'I.P.C.')

with fine and further sentence imposed on Applicant Nos.1 and 2 for the offence punishable under Section 144 of the IPC, with fine, which has been upheld by the learned Appellate Court, stands suspended till the final hearing and disposal of Criminal Revision Petition No.152 of 2026.

(III) The applicants be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) each, with one solvent surety in the like amount each.

(IV) Bail before the trial court.

[SIDDHESHWAR S. THOMBRE]
JUDGE

GGP