



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**918 CRIMINAL APPLICATION NO. 3544 OF 2026
IN APEAL/703/2026**

**NILESH SUNIL PENDURKAR
VERSUS
THE STATE OF MAHARASHTRA**

....

Ms Shilpa Aurangabadkar h/f Mr. Satej S. Jadhav, Advocate for
Applicant

Ms C. R. Chaudhari – Kutti, APP for Respondent – State

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CORAM : ABHAY S. WAGHWASE, J.

DATE : August 25, 2026

PER COURT :-

1. This is an application for suspension of sentence and grant of bail in consequent to the judgment and order of conviction recorded by learned Additional Sessions Judge, Ahmednagar in Sessions Case No.19 of 2020, dated 05.08.2026.

2. Learned counsel for the applicant submits that the applicant was tried vide above sessions case and came to be convicted vide above judgment and order for the offence under Sections 353 and 332 of I.P.C. Sentence awarded is maximum three months imprisonment and pay fine. Against the same,

appeal has been preferred. Fine amount is paid. According to her, applicant was on bail during trial. As appeal is of 2026, as much more time is required to hear the appeal, relief of suspension of sentence and grant of bail is urged for.

3. Learned APP opposed on the ground that on full fledged trial conviction has been recorded.

4. After considering the above submissions and taking into account the sentence of three months imprisonment, as well as the fact that the appeal is of 2026, may not be heard in near future, the relief as prayed for deserves to be granted. Hence, the following order:-

ORDER

- (i) Criminal Application stands allowed.
- (ii) The substantive sentence imposed on the applicant Nilesh Sunil Pendurkar by the learned Additional Sessions Judge, Ahmednagar in Sessions Case No.19 of 2020 dated 05.08.2026 stands suspended till final hearing and disposal of Criminal Appeal No.703 of 2026.
- (iii) The applicant be released on PR. Bond of Rs.15,000/- (Rupees Fifteen thousand only) with two solvent sureties in the like amount.

- (iv) The applicant shall not commit any criminal activity.
- (v) The applicant shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date he tenders bail papers and thereafter, the trial Judge to fix dates for his subsequent appearances.
- (vi) In case of two consecutive defaults on the part of the applicant to remain present before the trial Court, the trial Court to inform this Court about the same and in that eventuality, the prosecution would be at liberty to file an application for cancellation of the bail granted to the applicant.
- (vii) Bail before the trial Court.

[ABHAY S. WAGHWASE, J.]

SMS