



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1027 OF 2026
IN
CRIMINAL APPEAL NO. 191 OF 2026

Santosh Dashrath Pande,
Age : 43 years, Occu. : Gramsevak,
R/o. Dargah Parsawat Nagar, Parbhani.

... Applicant
[Orig. Accused]

Versus

The State of Maharashtra,
Through Dy. S.P. Anti - Corruption Bureau,
Parbhani.

... Respondent.

.....
Mr. Joydeep Chatterji, Advocate for Applicant.
Mrs. Saie S. Joshi, APP for Respondent - State.
.....

CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 17 MARCH 2026
PRONOUNCED ON : 18 MARCH 2026

ORDER :

1. Instant application is for suspension of sentence awarded by learned Additional Sessions Judge-1/Special Judge, Parbhani in Special (ACB) Case No.15 of 2014 dated 02.03.2026 as well as for grant of bail.

2. Learned counsel for applicant submitted that, present applicant was working as Gramsevak. He came to be tried vide above special case on accusation of demanding bribe for taking entry on the record. That, trial ended up in conviction. That, applicant has a good case on merits in appeal, and therefore he has preferred an appeal,

which is already numbered as Criminal Appeal No.191 of 2026. However, according to him, appeal being recent one, hearing of the appeal would take after long time. That, during trial applicant was on bail. That, sentence awarded is of two years. Fine amount is already paid, and hence, he urged for suspension of sentence and grant of bail during pendency of the appeal.

3. Learned APP opposed on the ground that on full-fledge trial and on finding convincing and legally acceptable evidence, conviction has been recorded.

4. Heard. Perused the papers. It seems that, present applicant, who was a Gramsevak, was tried by the Special Court on the premise that, on committing an offence punishable under sections 7, 13(1)(d) read with section 13(2) of the Prevention of Corruption Act, the primarily allegation was that he demanded bribe of Rs.1,500/- for carrying out mutation entry on the record. After being apprehended, he was charge sheeted vide Special (ACB) Case No. 15 of 2014, which seems to have ended up in conviction by judgment and order dated 02.03.2026. Aggrieved by the same, an appeal has been preferred before this Court. Apparently and admittedly, appeal being of recent one, there are no immediate prospect of hearing the appeal. Statement is made across the bar that during trial applicant was on bail. Fine amount is also said to be deposited. For all above reasons,

relief as prayed, deserves to be granted. Hence, the following order is passed :

ORDER

- I. Criminal Application stands allowed.
- II. The substantive sentence imposed on the applicant - Santosh Dashrath Pande in Special (ACB) Case No.15 of 2014 by learned Additional Sessions Judge-1/Special Judge, Parbhani on 02.03.2026 stands suspended till the final hearing and disposal of Criminal Appeal No.191 of 2026.
- III. The applicant be released on P.R. 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 they tender bail papers and thereafter, the trial Judge to fix dates for their subsequent appearances.
- VI. In case of two consecutive defaults on the part of the applicants 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 bail granted to the applicants.
- VII. Bail before the trial court.

(ABHAY S. WAGHWASE, J.)