



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1915 OF 2026
IN
CRIMINAL APPEAL NO. 367 OF 2026

Munjahari @ Sunil Tukaram Nagargoje,
Age: 34 years, Occu.: Agri,
R/o. Nagarpur, Tq. Ambajogai,
District Beed.

... Applicant

VERSUS

The State of Maharashtra
Through Officer In charge,
Police Station Parli Rural,
Dist. Beed.

... Respondent

.....
Mr. Shrikant G. Kawade, Advocate for Applicant
Mr. V.K. Kotecha, APP for Respondent-State
.....

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

DATE : 18 MAY, 2026

PER COURT :

1. Heard.
2. Issue notice to respondent – State. Learned APP waives service of notice for respondent – State.
3. Instant application is for suspension of sentence and grant of bail on account of conviction recorded by learned Judge, Special Court (POCSO Act) Ambajogai dated 06.05.2026 in Special (POCSO) Case No. 02 of 2019.

2. Learned counsel pointed out that present applicant has been held guilty by the learned Judge, Special Court (POCSO), Ambajogai vide judgment dated 06.05.2026 in Special (POCSO) Case No. 02 of 2019 for offence punishable under Section 366 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for three years and fine of Rs.500/- I.D.R.I. for three months. That, maximum sentence for which the applicant is punished is of three years only. That, applicant has preferred appeal and the same is of the year 2026. According to him, as appeal against conviction would take long time to be heard, he urged for relief of suspension as well as grant of bail.

3. Opposing the above application, learned APP pointed out that maximum sentence awarded is imprisonment for three years. He submitted that, on full fledged trial guilt has been recorded.

4. Heard. Perused the papers including the judgment under challenge by way of appeal. Apparently, applicant is held guilty under the aforesaid provisions. Said judgment is challenged by way of appeal and the same appears to be numbered as Criminal Appeal No. 367 of 2026. Consequently, appeal being recent, may not be heard early. Applicant was reported to be on bail during trial and has been granted suspension by the Trial Court. Therefore, in the light of above discussion, relief of suspension of sentence deserves to be granted. Hence, following order is passed.

ORDER

(I) Criminal Application stands allowed.

(II) The substantive sentence imposed on the applicant in Special (POCSO) Case No. 02 of 2019 by the learned Special Judge, (POCSO), Ambajogai on 05.05.2026, stands suspended till the final hearing and disposal of Criminal Appeal No. 367 of 2026.

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

(IV) Bail before the trial court.

[SIDDHESHWAR S. THOMBRE]
JUDGE

S P Rane