

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 931 OF 2026
IN
CRIMINAL APPEAL (STAMP) NO. 5804 OF 2026

Nandkishor S/o Gangadhar Khairnar

VERSUS

The State Of Maharashtra

Mr. Kanishk Waghware, Advocate for Appellant.

Mr. S. R. Agarkar, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 27th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking suspension of sentence and bail during the pendency of appeal.

2. The applicant has been convicted for or the offences punishable under section 420 read with section 120B of the Indian Penal Code and under section 13(1)(d) read with section 13(2) of Prevention of Corruption Act. The applicant is sentenced to suffer rigorous imprisonment for three years or the offence punishable under section 420 read with section 120B of IPC and to pay fine of Rs.25,000/- (Rs. Twenty Five Thousand only), each, in default of payment of fine, he shall suffer rigorous imprisonment for six months. The applicant is also sentenced to suffer rigorous imprisonment for three years for the offence punishable

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under section 13(1)(d) read with section 13(2) of PC. Act and to pay fine of Rs.50,000/- (Rs.Fifty Thousand only) each, in default of payment of fine, he shall suffer rigorous imprisonment for one year.

3. It is contention of learned counsel for the applicant that the trial Court has granted bail to the applicant and suspended his sentence during the appeal period. During the trial, the applicant was on bail and he has not misused the liberty. Hence, requested to allow the application.

4. The learned APP for respondent-State strongly objected to allow the application.

5. I have heard both learned counsel.

6. The maximum sentence imposed on the applicant is of three years. The trial Court has granted bail to the applicant and suspended his sentence during the appeal period. During the trial, the applicant was on bail and he has not misused the liberty. It may take time to dispose of the appeal.

7. In view of above, the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of the appeal, on the following terms and conditions:

ORDER

- i. The applicant be enlarged on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

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- ii. The bail bond to be furnished before the Trial Court.

The interim application stands disposed of.

- 8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)