



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPEAL NO. 61 OF 2026

Shailesh Babanrao Tekade

-- VERSUS --

The State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms. Sapna S. Jadhav, Advocate for the Appellant.

Mr. A.A. Madiwale, A.P.P. for the Respondent/State.

CORAM : M.M. NERLIKAR, J.

DATE : FEBRUARY 17, 2026.

Heard.

2. **Admit.** Learned A.P.P. waives service of notice on behalf of respondent/State.

3. Call for Record and Proceedings.

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CRIMINAL APPLICATION [APPA] NO. 103 OF 2026:

Heard.

2. Issue notice to non-applicant/State, returnable forthwith. Learned A.P.P. waives service of notice on behalf of non-applicant/State.

3. This is an application for suspension of sentence.

4. The applicant was convicted for the offences punishable under Sections 353 and 504 of

the Indian Penal Code, 1860, (IPC). However, in view of Section 71 of the Indian Penal Code, 1860, (IPC), the sentence was awarded only under Section 353 of the I.P.C. and he was sentenced to undergo rigorous imprisonment (RI) for 03 (three) months and to pay fine of Rs.2,000/- (Rupees Two Thousand), in default, to suffer rigorous imprisonment for 15 (fifteen) days.

5. I have heard the learned counsel for the applicant and the learned A.P.P. The arguable points are raised. Since the term is a short term sentence, I am inclined to suspend it. In this view of the matter, following order is passed:

ORDER

(i) The Criminal Application is **allowed** and disposed of;

(ii) The substantive sentence awarded by the trial Court in Sessions Case No.140/2022 by the Additional Sessions Judge, Achalpur, dated 17/01/2026, is hereby suspended till the disposal of the appeal;

(iii) The applicant/accused (Shailesh Babanrao Tekade) be released on bail on her furnishing a P.R. bond of Rs.25,000/- (Twenty Five Thousand Rupees) with one solvent sureties in the like amount;

(iv) The accused shall attend each and every date of trial regularly.

[M.M. NERLIKAR, J]

PIYUSH MAHAJAN