

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO. 102/2026

(Sadashiv Ganpati Pal Vs. State of Maharashtra & anr.)

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

Court's or Judge's orders

Mr. S. G. Pal, Advocate for appellant.

Mrs. Mayuri H. Deshmukh, APP for respondent No.1/State.

CORAM: M. M. NERLIKAR, J.

DATED : 06/03/2026.

Heard.

2. **Admit.**

3. The learned APP waives service of notice for
 respondent No.1.

4. Call R. and P.

CRIMINAL APPLICATION (APPA) NO.171/2026

1. This application is for suspension of sentence and grant of bail. The Trial Court has acquitted the applicant in Spl. (Atrocity.) Case No.17/2022 by judgment and order dated 29.01.2026 under Section 3(1)(s), 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 ("SC and ST Act"). However, he was convicted for the offence punishable under Section 354 of the Indian Penal Code and sentenced to undergo Rigorous

Imprisonment (“RI”) for 1 year and to pay fine of Rs.3000/-, in default, to undergo Simple Imprisonment (“SI”) for 20 days. The accused is also convicted for the offence punishable under Section 323 of the Indian Penal Code and sentenced to undergo SI for 6 months and to pay fine of Rs.1000/-, in default, to undergo SI for 15 days. Further, the accused is also convicted for the offence punishable under Sections 504 and 506 of the Indian Penal Code and sentenced in each offence to undergo SI for 3 months and to pay a fine of Rs.500/-, in default, to undergo SI for 10 days. The accused is also convicted for the offence punishable under Section 3(1)(w)(i)(ii) of the SC and ST Act and is sentenced to undergo RI for 6 months and to pay a fine of Rs.5000/-, in default, to undergo SI for 30 days. The applicant/accused is also convicted for the offence punishable under Sections 3(2)(va) of the SC and ST Act and sentenced to undergo RI for 1 year and to pay a fine of Rs.5000, in default to undergo SI for 30 days. All the substantive sentences are directed to run concurrently.

2. The learned counsel for the applicant submits that the applicant has deposited amount of Rs.15000/-. She submits that on merit she is having good case, the

sentences imposed are short term sentences which were directed to run concurrently.

3. On the other hand, the learned APP vehemently opposes the application and submits that the Court below after considering the entire evidence, has convicted the applicant, therefore the sentence may not be suspended.

4. I have considered the rival submissions. It appears from the entire record that the arguable points are made out. Hence the following order:-

ORDER

(I) The substantive sentence granted in Spl. (Atrocity.) Case No. 17/2022 by judgment and order dated 29.01.2026 by learned Special Judge (the S.C. & S.T. (PoA) Act), Chandrapur is hereby suspended.

(II) The applicant be released on bail on furnishing PR bond of Rs.25000/- with two solvent sureties in the like amount.

(III) The applicant shall remain present as and when called by this court.

5. The application is disposed of in above terms.

(M. M. NERLIKAR, J.)

Gohane