



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

CRIMINAL APPLICATION (APPA) NO.187/2026

IN

CRIMINAL APPEAL NO.115/2026

(Nikhil Dilip Tidke Vs. State of Maharashtra, through its Police Station Officer, Lakadganj, Distt. Nagpur)

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

Court's or Judge's orders

Mr. H.S. Chawhan, Advocate for the Applicant/Appellant.
Mr. Bhagwan M. Lonare, A.P.P. for the Non-Applicant-Respondent/State.

CORAM: NEERAJ P DHOTE, J.

DATED: 25.3.2026.

This is an Application for suspension of sentence awarded by the learned Additional Sessions Judge, Nagpur in Sessions Case No.421/2025 by judgment and order dated 18.02.2026 convicting and sentencing the Applicant as follows:-

"1. The accused Nikhil S/o. Diliprao Tidke, R/o. Nagpur, Tah. & Dist. Nagpur is hereby convicted vide section 258(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 for the offence punishable under section 74, 75(2), 78 and 333 of the Bhartiya Nyaya Sanhita 2023.

i) For the offence punishable under section 74 of the BNS, 2023, he is sentenced to suffer rigorous imprisonment for 03 (Three) years and to pay the fine of Rs.500/- (Rs. Five Hundreds), in default to suffer simple imprisonment for one month.

ii) For the offence punishable under section 75(2) of the BNS, 2023, he is sentenced to suffer rigorous imprisonment for 01 (One) year and to pay the fine of Ra.500/- (Rs. Five Hundreds), in default to suffer simple imprisonment for one month.

iii) For the offence punishable under section 78 of the BNS, 2023, he is sentenced to suffer rigorous imprisonment for 01 (One) year and to pay the fine of

Rs.500/- (Rs. Five Hundred), in default to suffer simple imprisonment for one month.

iv) For the offence punishable under Section 333 of the BNS, 2023, he is sentenced to suffer rigorous imprisonment for 05 (Five) years and to pay the fine of Rs.1000/- (Rs. One Thousand), in default to suffer simple imprisonment for two months.

2. All sentences shall run concurrently.

3. The accused is hereby acquitted vide section 258(1) of the Bharatiya Nagarik Suraksha Sanhita 2023 of the offences punishable under section 351(3), 296 and 125 of the BNS 2023.

4. The accused was in jail during the period from 27/05/2005 till 16/06/2025, therefore, the accused is entitled to set-off for the period which he has already undergone imprisonment as per section 468 of the Bharatiya Nagarik Suraksha Sanhita 2023.

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2. Heard the learned Advocate for the Applicant and the learned A.P.P. for the State.

3. The sentence awarded to the Applicant is term sentence, out of which the maximum sentence is of 5 years. The Applicant was behind bars for around 45 days. The Applicant was on bail during the trial. The Applicant has paid the fine amount. The Appeal is recently admitted and not likely to be heard finally in near future. Hence, the following order:-

ORDER

i) The Application is allowed.

ii) The sentence awarded by the learned Additional Sessions Judge, Nagpur in Sessions Case No.421/2025 by judgment and order

dated 18.02.2026 convicting and sentencing the Applicant for the offence punishable under Sections 74, 75(2), 78 and 333 of the Bhartiya Nyaya Sanhita, 2023 is suspended and the Applicant be released on bail on his executing P.R. Bond for Rs.25,000/- and one surety in the like amount.

- iii) The Applicant shall co-operate in early disposal of the Appeal.
- iv) Application stands disposed of in the above terms.

(NEERAJ P DHOTE, J.)