

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

CRIMINAL APPEAL NO. 139/2026

(Nilesh Prakash Gadekra & ors. Vs. State of Maharashtra)

WITH

CRIMINAL APPLICATION (APPA) NO. 221/2026

(Nilesh Prakash Gadekra & ors. Vs. 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

Mr. S.B. Gandhe, Advocate for appellant/Applicant.
 Mr. A.A. Madiwale, APP for respondent/no-applicant.

CORAM: M. M. NERLIKAR, J.

DATED : 25/03/2026.

Heard.

2. **Admit.**

3. The learned APP waives service of notice to the respondent/State.

4. Call for R. and P.

CRIMINAL APPLICATION (APPA) NO. 221/2026

1. Heard.

2. By this application, the applicants are seeking suspension of sentence imposed by the learned Ad-hoc District Judge-1 and Additional Sessions Judge, Amravati in Sessions Case No.65/2021 vide order dated 27/02/2026.

3. The applicants are convicted for the offences punishable under Sections 332, 353, 294 and 186 read

with Section 34 of the Indian Penal Code and sentenced to suffer Simple Imprisonment ("SI").of one year each and to pay fine of Rs.2000/- each, in default to suffer SI for two months for the offence punishable under Section 332 of the Indian Penal Code. They are further sentenced to suffer SI for six months each and to pay fine of Rs.1000/- each and in default, to suffer SI for one month for offence punishable under Section 353 of the Indian Penal Code. Under Section 294 of the Indian Penal Code, the applicants are directed to pay fine of Rs. 1000/- each and in default to suffer SI for one month. Under Section 186 of the Indian Penal Code, the applicants are directed to pay fine of Rs. 500/- each and in default to suffer SI for one month.

4. The learned counsel for the applicants submits that the entire fine amount is already paid. There is a good chance that the appeal would succeed and therefore, given the short term sentence i.e. one year, the application for suspension of sentence be allowed.

5. Considering that the applicants were sentenced for one year and further arguable points are made out, I am inclined to suspend the sentence, hence the following

order:-

ORDER

(I) The application is allowed. The substantive sentence imposed by the learned Ad-hoc District Judge-1 and Additional Sessions Judge, Amravati in Sessions Case No.65/2021 vide order dated 27/02/2026 is hereby suspended till disposal of the appeal.

(II) The applicants be released on bail on furnishing P.R. Bond of Rs. 25,000/- each with one surety in the like amount.

(M. M. NERLIKAR, J.)

Gohane