



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

CRIMINAL APPLICATION (APPA) NO.228/2026

IN

CRIMINAL APPEAL NO.142/2026

(Sanjay S/o Sheshrao Nakshane Vs. The State of Maharashtra, through Police Station Officer, P.S. Babhulgaon, Tq. and District Yavatmal)

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

Court's or Judge's orders

Mr. P.R. Agrawal, Advocate for the Applicant/Appellant.
Mr. Ujjawal R. Phasate, A.P.P. for the Non-Applciant-Respondent/State.

CORAM: NEERAJ P. DHOTE, J.

DATED: 6.4.2026.

This an Application for suspension of sentence dated 17.03.2026 awarded by the learned Special Judge, Yavatmal in Special ACB Case No.10/2016 convicting and sentencing the Appellant/Applicant as follows:-

"1. Accused Sanjay Sheshrao Nakshane is hereby convicted of the offence punishable under section 7 of the Prevention of Corruption Act, 1988, vide section 235 of the Code of Criminal Procedure, 1973, and is hereby sentenced to undergo rigorous imprisonment for five years, and to pay fine of Rs.1,00,000/- (Rs. One Lakh only), and in the case of default in the payment thereof, to undergo further rigorous imprisonment for a term of one year.

2. Accused Sanjay Sheshrao Nakshane is hereby convicted of the offence punishable under section 13(2), read with section 13(1)(d) of the Prevention of Corruption Act, 1988, vide section 235 of the Code of Criminal Procedure, 1973, and is hereby sentenced to undergo rigorous imprisonment for seven years, and to pay fine of Rs.2,00,000/- (Rs. Two Lakhs only), and in the case of default in the payment thereof, to undergo further

rigorous imprisonment for a term of one year and six months.

3. Both the substantive sentences of imprisonment shall run concurrently.

4. The accused shall be entitled to set off under section 428 of the Code of Criminal Procedure, 1973, in respect of the period of detention undergone by him.

5. On the deposit of the amount of fine, Rs.5,000/- shall be paid to complainant Sandip Ramdas Gulhane, towards compensation, after the lapse of period of appeal. The remaining amount of fine shall be retained by the State government.

6. The seized tainted currency notes worth Rs.300/- be credited to the State government, after the lapse of period of appeal. The other three currency notes of Rs.100/- each and the seized driving license be returned back to the accused, after the lapse of period of appeal. The seized shirt, being worthless, be destroyed, after the lapse of period of appeal. The seized memory cards, pen drive and C.D. be treated as documents, and be dealt with, in accordance with the rules in operation, in relation to the destruction of documents.

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2. It is the case of prosecution that, the Appellant is working as *Talathi* and for effecting the mutation entry he demanded bribe of Rs.2,000/- and accepted amount of Rs.300/-. The Appellant was caught red handed and Crime No.3024/2015 came to be registered with the Babhulgaon Police Station for the offence punishable under Sections 7, 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988.

3. Heard the learned Advocate for the Appellant and the learned A.P.P. for the State.

4. The learned trial Court observed that, the sanction was not by the competent authority. The sentence imposed on the Appellant is term sentence of 7 years and 5 years with fine. The Appellant was on bail during the trial. The Appellant is ready to deposit 50% amount of fine within 2 working days from his release. The Appeal is not likely to be heard in near future. Hence, the following order:-

ORDER

- i) The Application is allowed.
- ii) The Appellant/Applicant shall be released on bail on his executing PR. Bond in the sum of Rs.25,000/- with one surety in the like amount.
- iii) Bail before the trial Court.
- iv) The Appellant shall deposit 50% of fine amount within a period of two working days after his release on bail.
- v) The Appellant/Applicant shall co-operate in early disposal of the Appeal.

(NEERAJ P DHOTE, J.)