

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

CRIMINAL APPEAL NO. 204/2026

(Namdeo S/o Kacharuji Meshram 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.
 Mr. A.R. Chutke, APP for respondent/State.

CORAM: M. M. NERLIKAR, J.

DATED : 27/04/2026.

Heard.

2. **Admit.**
3. The learned APP waives service of notice.
4. Call R. and P.

CRIMINAL APPLICATION (APPA) NO.319/2026

1. Heard.
2. This application is for stay to the conviction imposed vide judgment dated 17/03/2026 passed by the Additional Sessions Judge-2, Achalpur in Sessions Case No.121/2019.
3. The learned counsel for the applicant submits that the applicant is in service. He is working as an Assistant Teacher at Zilla Parishad Purva Madhyamik Marathi School, Sawalpur, Taluka Achalpur, District Amravati. He submits that the conviction is required to be stayed for the

reason that the applicant is about to superannuate, and there would be problems in receiving pensionary benefits. Therefore, according to him, if the conviction is not stayed, there would be irreparable loss.

4. On the other hand, the learned APP vehemently opposes the application and submits that only in the rarest of rare cases and in exceptional circumstances, conviction is to be stayed. Merely because the applicant is in service and is about to get superannuated is no ground to stay the conviction.

5. I have heard both side. I have considered the rival submissions. I do not find any reason to stay the conviction. Merely because the applicant is in service and he would be deprived of pensionary benefits on superannuation as he is about to superannuate, this ground itself is not sufficient to stay the conviction. The learned counsel also failed to point out any provision of law which deprives the applicant from getting pensionary benefits, if the conviction is not stayed. The Supreme Court in catena of judgments has held that it is only in exceptional and rare cases the conviction is to be stayed.

6. In view of above circumstances, no case is made out for stay of conviction imposed vide judgment dated 17/03/2026, hence the application is rejected.

(M. M. NERLIKAR, J.)

Gohane