



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

CRIMINAL APPLICATION (APPA) NO. 213/2026
AJAY S/O BANDU INGALE VS THE STATE OF MAHARASHTRA AND
ANOTHER

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.J.B.Kasat, Advocate for appellant.
Mr. B.N.Lonare, A.P.P.for Respondent no.1/State.

CORAM: Y. G. KHOBRAGADE, J.

DATED : 30th APRIL, 2026

1. Leave to amend cause title of the appeal is granted. Amendment to be carried out forthwith.
2. Heard Mr. J.B.Kasat, learned counsel for the appellant and Mr. B.M.Lonare, learned APP for the respondent no.1/State.
3. By the present appeal, the appellant/accused challenged the judgment and order dated 4.4.2026 passed in Special Case No.66/2018 by the learned Additional Sessions Judge-2, Achalpur, whereby the present appellant-accused convicted and sentenced for offence punishable under Sections 354-A and 324 of the Indian Penal Code and Section 8 of the Protection of Children From Sexual Offences Act 2012 (POCSO) and sentenced to suffer R.I. for three years and to pay a fine of Rs.4000/- in default of payment of fine, he has to suffer further R.I. for three months.
4. Issue notice to the respondents on merit returnable on 18th June,2026.

5. Mr. B.M.Lonare, learned APP waives service of notice on behalf of respondent no.1.

6. The concerned PI of Police Station, Asegaon Purna, Tq. Chandur Bazar, District Amravati shall ensure to serve respondent no.2.

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7. Leave to amend cause title of the application is granted. Amendment to be carried out forthwith.

8. By the present application, the applicant-accused, who has been convicted and sentenced for offence punishable under Sections 354-A and 324 of the Indian Penal Code and Section 8 of the Protection of Children From Sexual Offences Act 2012 (POCSO) in Special Case No.66/2018 by the learned Additional Sessions Judge-2, Achalpur, seeks suspension of sentence during pendency of the appeal.

9. Considering the nature of offence and the fact that the appellant was on bail during the course of trial, it would be just and proper to suspend the sentence during the pendency of appeal. Needless to state that after the conviction is awarded, the learned Trial Court passed an order and suspended sentence of the accused. Hence, I proceed to pass the following order:-

(i) The application is allowed.

(ii) The sentence imposed upon the Applicant/Appellant by the Additional Sessions Judge -2 Achalpur in Special Case No.66/2018 for the offence punishable under Sections 354-A and 324 of the Indian

Penal Code and Section 8 of the Protection of Children From Sexual Offences Act 2012 (POCSO) is suspended till disposal of the appeal.

(iii) The appellant-accused Ajay s/o Bandu Ingale, be released on bail on execution of PR Bond of Rs.25,000/- with solvent surety in the like amount.

(iv) Bail before the Trial Court.

(v) The Applicant shall co-operate in the early hearing of the Criminal Appeal.

Application stands disposed of.

(Y.G.KHOBRADE, J.)