



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

CRIMINAL APPEAL NO.236 OF 2026.

Gajanan Ramesh Ghorsade

-VERSUS-

State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri U.J. Deshpande, Advocate for the Appellant.
Ms M. Deshmukh, A.P.P. for the Respondent/State.

CORAM : M.M. NERLIKAR, J.

DATE : MAY 07, 2026.

Heard.

2. This is an appeal against conviction. **Admit.**

Call for R & P.

Learned A.P.P. waives notice for the
Respondent.

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Criminal Application (APPA) No.362/2026.

Heard.

2. This is an application seeking suspension of
sentence imposed by the learned Additional Sessions

Judge, Mangrulpir in Sessions Case No.42/2022 on 24.04.2026 by which the appellant was convicted for the offences punishable under Sections 353, 332, 294, 504 and 506 of the Indian Penal Code. He was ordered to under rigorous imprisonment for 2 years each for Sections 35 and 332 with fine of Rs.2000/- each and in default to suffer rigorous imprisonment for 15 days; for 15 days for Section 294 with fine of Rs.500/- and in default to suffer rigorous imprisonment for 7 days; for 1 year each for Sections 504 and 506 with fine of Rs.500/- each and in default to suffer rigorous imprisonment for 7 days.

3. The learned Counsel for the appellant submits that the applicant has a good case on merit. It is his further contention that the trial Court has not properly appreciated the evidence, and therefore, there is need to re-appreciate the same. The sentence is a short term sentence and has been ordered to run concurrently, therefore the appellant be released on bail by suspending the sentence.

4. On the other hand the learned A.P.P. has vehemently opposed the application by contending that

the appeal itself can be heard at the stage of admission. It is submitted that after scanning the entire evidence, considering the material on record, the trial Court has rightly passed the judgment and order of conviction. It is submitted that considering the fact that there is no merit in the application, the same deserves to be rejected.

5. I have considered the rival submissions canvassed by the parties. This Court has already admitted the appeal for final hearing. Prima facie it appears from the record that the appellant has a good case on merits, and further the sentence imposed is of 2 years, which is a short term sentence. Considering this fact, I am inclined to allow the application. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The sentence imposed by the learned Additional Sessions Judge, Mangrulpir in Sessions Case No.42/2022 on 24.04.2026 is hereby suspended.
- (iii) The appellant /applicant Gajanan Ramesh Ghorsade, be released on bail in connection with Crime No.139/2020 registered with Asegaon Police Station, District Washim for the offences

punishable under Sections 353, 332, 294, 504 and 506 of the Indian Penal Code on his furnishing P.R. Bond of Rs.50,000/- with two sureties in the like amount.

- (iv) The appellant shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.

JUDGE