

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL APPEAL (AGAINST CONVICTION) NO. 554 of 2026
With
CRIMINAL MISC.APPLICATION (FOR SUSPENSION OF SENTENCE) NO.
1 of 2026
In R/CRIMINAL APPEAL NO. 554 of 2026

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DEVKARANBHAI MASABHAI SOLANKI & ORS.

Versus
STATE OF GUJARAT

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Appearance:

MR JIGNESH L HAJARE(3994) for the Appellant(s) No. 1,2,3,4,5
MS. C.M. SHAH, APP for the Opponent(s)/Respondent(s) No. 1

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CORAM: HONOURABLE MS. JUSTICE S.V. PINTO

Date : 13/03/2026

ORAL ORDER

ORDER IN CRIMINAL APPEAL:

1. Perused the record of the case. The appellants along with other co-accused were tried in Special (POCSO) Case No. 12/2017 and at the end of the trial, the appellants along with the other co-accused were convicted for the offence under Section 366 read with Section 114 of the IPC and sentenced to rigorous imprisonment of 5 years and fine of Rs.5,000/-, and in default, rigorous imprisonment of 6 months and were acquitted in the other offences. The accused no.1 Naresh @ Mahesh Jayantibhai Solanki was convicted for the offence under Section 376(2)(h)(i)(m) of the IPC r/w. Section 3(a) and 4 of the POCSO Act and sentenced to rigorous imprisonment till the remaining natural life span and fine of Rs.20,000/-, and in default, rigorous imprisonment of 6 months.

2. On verifying from the Registry, the original

accused no.1 Naresh @ Mahesh Jayantibhai Solanki has not filed any appeal till date, and hence, this matter is placed before this Court. As the case is under the POCSO Act, learned advocate for the appellants seeks permission to join the original complainant as party respondent. Accordingly, learned advocate for the appellants is permitted to join the original complainant as party respondent.

3. Issue notice to original complainant making it returnable on 06.04.2026. Learned APP Ms.C.M.Shah waives service of notice for the respondent no.1 – State.

ORDER IN CRIMINAL MISC. APPLICATION:

1. Perused the record of the case. The applicants along with other co-accused were tried in Special (POCSO) Case No. 12/2017 and at the end of the trial, the applicants along with the other co-accused were convicted for the offence under Section 366 read with Section 114 of the IPC and sentenced to rigorous imprisonment of 5 years and fine of Rs.5,000/-, and in default, rigorous imprisonment of 6 months and were acquitted in the other offences. The accused no.1 Naresh @ Mahesh Jayantibhai Solanki was convicted for the offence under Section 376(2)(h)(i)(m) of the IPC r/w. Section 3(a) and 4 of the POCSO Act and sentenced to rigorous imprisonment till the remaining natural life span and fine of Rs.20,000/-, and in default, rigorous imprisonment of 6 months.

2. On verifying from the Registry, the original accused no.1 Naresh @ Mahesh Jayantibhai Solanki has not

filed any appeal till date, and hence, this matter is placed before this Court. As the case is under the POCSO Act, learned advocate for the applicants seeks permission to join the original complainant as party respondent. Accordingly, learned advocate for the applicants is permitted to join the original complainant as party respondent.

3. Issue notice to original complainant making it returnable on 06.04.2026. Learned APP Ms.C.M.Shah waives service of notice for the respondent no.1 – State.

ROHAN SONI

(S. V. PINTO,J)