



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

CRIMINAL APPEAL NO.254 OF 2026.

Dhiraj Tarun Nandeshwar.

-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 M.V. Acharya, Advocate for the Appellant.

Shri H.R. Dhumale, A.P.P. for the Respondent.

CORAM : M.M. NERLIKAR, J.

DATE : JUNE 09, 2026.

Heard.

Admit. Call for R & P.

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

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Criminal Application (APPA) No.376/2026.

Heard.

2. This is an application for suspension of sentence. The applicant/appellant came to be convicted for the offence punishable under Sections 7 and 13[1][d] of the Prevention of Corruption Act. He is sentenced to suffer rigorous imprisonment for a term of one year and to pay fine of Rs.10,000/- for offence punishable under Section 7 of the

Prevention of Corruption Act, in default to pay fine, he is ordered to undergo simple imprisonment for one month. Similarly for offence punishable under Section 13[1][d] punishable under Section 13[2] of the Prevention of Corruption Act, the applicant is sentenced to suffer rigorous imprisonment for a term of two years and to pay fine of Rs.10,000/-, in default to pay fine, he is ordered to undergo simple imprisonment for one month.

3. The learned Counsel for the applicant/appellant submits that the applicant/appellant is having good case on merits and since the sentence is a short term sentence, the same may be suspended. It is submitted that, the appellant has paid fine amount, during trial he was on bail, and even after conviction the trial Court has suspended sentence.

4. On the other hand the learned A.P.P. vehemently opposes the application and submits that the appeal itself can be heard finally. He submits that after appreciating the evidence on record, the trial Court has convicted the applicant/appellant. The applicant/appellant is involved in the crime under Prevention of Corruption act, as he is a public servant, and therefore, he submits that the sentence may not be suspended.

5. I have heard the rival submissions. It is not in

dispute that the applicant/appellant was charged with the offence punishable under Sections 7 and 13[1][d] read with Section 13[2] of the Prevention of Corruption Act. He was sentenced to under rigorous imprisonment for one year for offence punishable under Section 7 and for offence under Section 13[1][d], he is ordered to under rigorous imprisonment for two years., therefore, the maximum punishment would be of two years. The applicant/appellant has deposited an amount of Rs.20,000/- towards fine. Thus considering this fact and as the sentence is a short term sentence, I am inclined to suspend the sentence. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The sentence imposed by the learned Special Judge, Nagpur under Sections 7 and 13[1][d] of the Prevention of Corruption Act, vide judgment and order dated 08.05.2026 in Special (ACB) Case No.29/2014 is suspended till the final disposal of the appeal.
- (iii) The applicant/appellant Dhiraj Tarun Nandeshwar be released on bail, on his furnishing P.R. Bond of Rs.50,000/- with one surety in the like amount.

JUDGE