

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1400 OF 2022
IN
CRIMINAL APPEAL NO.457 OF 2022**

Vilas Kashinath Pawar Applicant

versus

State of Maharashtra & Ors. Respondents

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- Mr. V. V. Purwant, Advocate for Applicant.
- Smt. J. S. Lohokare, APP for the State/Respondent.
- Ms. Ameeta Kuttikrishnan, Appointed Advocate for Respondent Nos.2 and 3.

**CORAM : SARANG V. KOTWAL, J.
DATE : 24th AUGUST, 2022**

P.C. :

1. This is an application for suspension of sentence and release of Applicant on bail during pendency and final disposal of the Criminal Appeal No.457 of 2022.

2. The Applicant was convicted for commission of offence punishable u/s 8 of the Protection of Children from Sexual Offences (POCSO) Act, 2012 and u/s 354 of the Indian Penal

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Code. He was sentenced to suffer imprisonment for 4 years and to pay a fine of Rs.10,000/-, in default to suffer imprisonment for one year.

3. Learned counsel for the Applicant submitted that the Applicant has already paid the fine.
4. Heard Mr. V. V. Purwant, learned counsel for the Applicant, Smt. J. S. Lohokare, learned APP for the State and Ms. Ameeta Kuttikrishnan, learned counsel for Respondent Nos.2 and 3.
5. Learned counsel for the Applicant submitted that the sentence is short and the Appeal is not likely to be heard within a reasonable time. The Applicant is in custody for a period of 7 months and therefore the remaining period is much lesser.
6. Learned counsel for Respondent Nos.2 and 3 though opposed this application, she could not make any submission regarding the short sentence. Therefore considering this fact,

that the sentence is of four years, out of which he was in custody for 7 months and the Appeal is not likely to be heard within a short period and that the Applicant was on bail during the trial and there are no further allegations against him, the Applicant can be released on bail during pendency and final disposal of the Appeal.

7. Hence, the following order :

ORDER

- (i) During pendency and final disposal of the Criminal Appeal No.457 of 2022, the Applicant is directed to be released on bail on his furnishing PR. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand only), with one or two sureties in the like amount.
- (ii) Interim Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)