

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

**INTERIM APPLICATION NO. 2861 OF 2022  
IN  
CRIMINAL APPEAL NO. 864 OF 2022**

Shubham Ashok Jadhav ..Applicant  
Versus  
The State of Maharashtra & Anr. ..Respondents

Mr. Tushar Sonawane for Applicant.  
Mr. P. H. Gaikwad, APP for State/Respondent No.1.  
Smt. Megha Bajoria (Appointed Advocate) for Respondent No.2.

CORAM : SARANG V. KOTWAL, J.  
DATE : 17<sup>th</sup> NOVEMBER 2022

PC :

1. This is an application for bail pending the Appeal. The Applicant was convicted for commission of offence punishable U/s.354-A(1)(i) of I.P.C. and under section 7 r/w. 8 of the Protection of Children from Sexual Offences Act. The major sentence imposed on him was for three years besides imposition of fine.

2. Learned counsel for the applicant submitted that the applicant was on bail during trial and he has not misused the

liberty. The sentence is short and the appeal is not likely to be decided within that short period. He further submitted that, after his conviction also the applicant was granted bail under the provisions of Section 389 of Cr.p.c.

3. Learned counsel for the Respondent No.2 submitted that, looking at the nature of allegations some conditions are required to be imposed on the applicant to ensure safety of the victim. Learned APP submitted that the victim is residing near Upnagar area of Nashik and the applicant be directed to report to a particular police station to keep check on his activities.

4. I have considered these submissions. I have also perused the Judgment. The incident is dated 19/01/2018. There are allegations that the applicant had stopped her and had asked her to reciprocate his feelings. He had also threatened her. After considering the evidence, the applicant was convicted and sentenced. However, the sentence is short and the appeal is not likely to be decided during that period. The applicant was on bail during trial. There are no further allegations of causing

harassment to the victim by the applicant. Therefore, the applicant can be granted bail on certain conditions to protect the victim from possible harassment by the applicant.

5. Hence, the following order:

O R D E R

- i) During pendency and final disposal of Criminal Appeal No.864 of 2022 the applicant is directed to be released on bail on his executing P. R. Bond in the sum of Rs.30000/- with one or two sureties in the like amount.
- ii) The Applicant shall not enter the area of Upnagar police station, Nashik, till further orders.
- iii) The Applicant shall report to Nashik Road police station once in every fortnight, till further orders.
- iv) The application is disposed of.

**(SARANG V. KOTWAL, J.)**