

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

**INTERIM APPLICATION NO.3006 OF 2022
IN
CRIMINAL APPEAL NO.906 OF 2022**

Naushad Jishan Shaikh Applicant

versus

State of Maharashtra & Anr. Respondents

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- Ms. Swapana Kode a/w Rohan Korde, Advocate for Applicant.
- Mr. S. R. Agarkar, APP for the State/Respondent No.1.

**CORAM : SARANG V. KOTWAL, J.
DATE : 19th OCTOBER, 2022**

P.C. :

1. This is an application for bail pending the Applicant's Appeal challenging the Judgment and Order dated 27/07/2022 passed by the Special Judge under POCSO Act and Additional Sessions Judge, in Special Case Child Protection No.117 of 2015.

2. The Applicant was convicted for commission of offence u/s 3 and 4 of the Immoral Traffic (Prevention) Act, 1956. The

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major punishment was one year rigorous imprisonment besides imposition of fine. The Applicant was acquitted from the offence u/s 342, 366-A, 370(3), 566 of the Indian Penal Code and u/s 5 and 7 of the Immoral Traffic (Prevention) Act, 1956 and u/s 16 and 17 of the Protection of Children from Sexual Offences Act, 2012.

3. Heard Ms. Swapana Kode, learned counsel for the Applicant and Mr. S. R. Agarkar, learned APP for the State.
4. Learned counsel for the Applicant submitted that the Applicant is falsely implicated.
5. Learned APP opposed this application. However he could not controvert the fact that maximum sentence was one year.
6. Considering the short sentence, also since the Appeal is not likely to be decided within the short period, and since the

Applicant is a lady, bail can be granted to her pending the Appeal.

7. Hence, the following order :

ORDER

- (i) During pendency and final disposal of the Criminal Appeal No.906 of 2022, the Applicant is directed to be released on bail on her 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.)