

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL INTERIM APPLICATION NO. 1966 OF 2023
IN
CRIMINAL APPEAL NO. 1241 OF 2019
ALONGWITH
CRIMINAL APPEAL NO. 1241 OF 2019

Suresh Ramchandra Pawar ...Applicant/Appellant
Versus
The State of Maharashtra & Anr. ...Respondents

Mr. Dhananjay Rananaware A/W Mr. Manjeet Lotankar for the
Applicant/Appellant.

Mrs. P.P.Shinde, A.P.P for the Respondent-State.

*CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.*
DATE : 7TH JUNE, 2023

P.C. :

1. By this application, the applicant seeks his release on temporary bail for a period of one month in order to enable him to attend the marriage of his only daughter and to perform the rituals.

2. Learned Counsel for the applicant submits that the applicant's only daughter is to get married on 12th June, 2023 and prays that the applicant be released on temporary bail to attend the wedding ceremony of his daughter and to perform all rituals in the marriage, as father. Learned Counsel relied on the invitation card which is at Exhibit – A on page 8 of the application.

3. Learned APP has verified the genuineness of the marriage invitation card which is annexed to the application at Exhibit – A. She does not dispute the fact that the applicant's daughter is to get married on 12th June, 2023. Learned APP, however, opposes grant of temporary bail for a period of one month. Learned APP, when questioned, whether the applicant was released on parole or furlough on any earlier occasion, submits that the applicant was released on furlough on one occasion and that he has reported on time as per the order granting furlough.

4. Perused the papers. The applicant is convicted by the learned Additional Sessions Judge-3, Sangli, vide judgment and order dated 16th December 2018 in Special (POCSO) Case No. 216/2014 for the offences punishable under Sections 376(2)(i) and 506 of the Indian Penal Code and under Sections 6, 11(ii) and 12 of the Protection of Children from Sexual Offences Act and was sentenced to suffer life imprisonment and to pay a fine of Rs. 30,000/-. The applicant is presently undergoing his sentence in Kolhapur Central Prison. The applicant's appeal is pending before this Court. It is not in dispute that the applicant was released on furlough and that he has not misused the liberty whilst on furlough leave. It is also not in dispute that the applicant's only daughter is getting married on 12th June, 2023.

5. Considering the aforesaid, we release the applicant on temporary bail from 9th June, 2023 to 15th June, 2023 on the following terms and conditions;

ORDER

(i) The applicant be released on temporary bail from 9th June, 2023 to 15th June, 2023 on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;

(ii) The applicant, during the temporary bail granted to him, shall report the Palus Police Station on 10th June, 2023 and 13th June, 2023, at any time, between 8.00 a.m. to 12.00 noon;

(iii) The applicant shall surrender before the jail authorities on 15th June, 2023 before 4.00 p.m.

6. The application is accordingly disposed of on the aforesaid terms.

7. The appeal be listed on **19th June, 2023** for recording compliance of clause (iii) of this order.

8. All concerned to act on the authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.