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

**CRIMINAL INTERIM APPLICATION NO. 215 OF 2021
IN
CRIMINAL APPEAL NO. 365 OF 2014**

Pundlik Gole

... Applicant

vs.

The State of Maharashtra and Anr

... Respondents

Ms. Dharani Nagda, Mr. Mahesh Vaswani a/w. Ms. Shreya Tiwari, Ms. Lakshita Fatnani, for the Applicant.

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

Ms. Ilsa Shaikh h/f. S.R. Phanse-appointed for Respondent No.2.

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.**

DATED : 18th DECEMBER, 2023

P.C. :-

1. By this application sent through jail, the applicant seeks suspension of his sentence and enlargement on bail, pending the hearing and final disposal of his aforesaid appeal.

2. The applicant is in custody since 2010. The applicant has been convicted for the offences punishable under sections 376 (2)(c), 377, 304, 307, 354, 420, 506 (II), 324, individually and read with section 109, 114 of the Indian Penal Code and under

sections 23, 25, 28 of the Juvenile Justice Act. There is an evidence of the girls i.e. intellectually challenged girls, with respect to sexual assault on them. The applicant is original accused no.1, who was the Director / President /Founder/ Chairperson of Adivasi Mahaswargiya Krishi Sanstha. According to the prosecution, the applicant alongwith other co-accused sexually assaulted the intellectually challenged minor girls. In the said case, 5 children allegedly expired in suspicious circumstances during the said time. Prima facie, there is evidence of the minor girls as well as evidence of CWC members and the complainant which is duly corroborated by the medical evidence.

3. Considering the aforesaid, this is not a fit case to enlarge the applicant on bail. Application is accordingly rejected.

4. However, considering the fact, that the applicant and some of the co-accused are in custody since 2010, hearing of the appeal is expedited. The appeal be kept for final hearing at the end of the admission board on **30th January 2024**.

5. Application stands disposed of accordingly.

(GAURI GODSE, J.)

(REVATI MOHITE DERE, J.)