

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

**INTERIM APPLICATION NO. 2194 OF 2024
WITH
INTERIM APPLICATION NO. 2195 OF 2024
IN
CRIMINAL APPEAL NO. 586 OF 2024**

Sitaram Harishchandra Bhogawale ..Applicant
Versus
“X” (Victim) & Anr. ..Respondents

Mr. Shyamrishi Pathak a/w. Ganesh Singh for Applicant.
Mr. Shrikant H. Yadav, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 23 JULY 2024

PC :

1. These are the applications for suspension of sentence and for release of the applicant on bail pending his appeal.
2. The Applicant was convicted by the Special Judge under POCSO Act, Greater Mumbai, in POCSO Special Case No.624 of 2019, for commission of offences punishable under sections 354 and 354(d) of the I.P.C. and under sections 8 and 12 of the Protection of Children from Sexual Offences Act (hereinafter referred to as ‘POCSO Act’). The maximum punishment imposed

on him was for three years.

3. Learned counsel for the applicant submitted that the applicant was on bail during trial from the year 2019. There is no allegation of misusing that liberty. Even after his conviction, he was granted bail for a temporary period U/s.389 of the Cr.p.c.

4. Considering these submissions, it is necessary to hear the Respondent No.1. In the meantime, the applicant can be protected.

5. Hence, the following order:

O R D E R

- i) Issue Notice to the Respondent No.1, returnable on 27.08.2024.
- ii) Stand over to 27.08.2024.
- iii) Till then, the order passed by the Trial Court granting bail to the applicant U/s.389 of the Cr.p.c., after his conviction on 15.04.2024, shall continue.
- iv) The I.O. shall inform the Respondent No.1 regarding the next date of listing and he shall make a statement to that effect before the Court on the next occasion.

(SARANG V. KOTWAL, J.)