

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

**INTERIM APPLICATION NO. 2443 OF 2024
IN
CRIMINAL APPEAL NO. 647 OF 2024**

Rohit Suresh Jadhav ..Applicant.
Versus
The State of Maharashtra & anr. ..Respondents

Ms. Shraddha Vavhal for Applicant.
Mr. Swapnil V. Walve, APP for State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 27 JUNE 2024**

PC :

1. The Applicant was convicted by the Special Judge, Raigad-Alibag, vide the Judgment and order dated 17.05.2024 passed in Special (POCSO) Case No.46 of 2023 under sections 7 r/w. 8 and section 11 r/w. 12 of the POCSO Act and U/s.354 of the I.P.C. He was sentenced to suffer R.I. for one year and to pay a fine of Rs.5000/- and in default to suffer R.I. for one month. He was acquitted from the charges U/s.363 of the I.P.C. After his conviction, he was granted bail, till filing of the Appeal, vide the order dated 17.05.2024 passed by the Trial Judge.

2. The prosecution case is that the applicant was having love affair with the informant's daughter aged 14 years and on one occasion, he committed the acts which would attract the above provisions.

3. Learned counsel for the applicant submitted that the sentence imposed is of one year and the appeal is not likely to be decided within that period.

4. Considering these submissions and the circumstances mentioned herein above, the following order is passed:

O R D E R

- i) Issue Notice to the Respondent No.2, returnable on 22.07.2024.
- ii) The I.O. shall inform the Respondent No.2 about the next date of listing and shall make a statement to that effect before the Court.
- iii) Till the next date, the order passed by the learned Special Judge, Raigad-Alibag, on 17.05.2024 suspending the applicant's sentence and releasing him on bail U/s.389 of the Cr.P.C. shall continue.
- iv) Stand over to 22.07.2024.

(SARANG V. KOTWAL, J.)