

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

**INTERIM APPLICATION NO. 4899 of 2024
in
CRIMINAL APPEAL NO. 1258 of 2024**

XXXX

... Applicant/
Appellant

versus

The State of Maharashtra and anr.

.... Respondents

Mr. Sangharsh V. Waghmare, Advocate for the Applicant/Appellant.
Mr. Swapnil Walve, APP for Respondent No.1-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th DECEMBER, 2024.

P.C. :

1. Heard learned counsel for the applicant and learned APP for respondent No.1-State.
2. Learned counsel for the applicant submitted that applicant has been convicted for the offence punishable under Section 354-A of the Indian Penal Code, 1860 and Section 8 of the Protection of Children From Sexual Offences Act 2012 and sentenced to suffer RI for 3 years and fine of Rs.3,000/-. The applicant has deposited the fine amount. The learned Special Court has suspended the sentence during the appeal period and has granted interim bail to the applicant. Hence, requested to allow the application.

SHUBHADA
SHANKAR
KADAM

3. Learned APP strongly objected to allow the application.
4. I have heard both learned counsel. The sentence imposed on applicant is short term sentence. The applicant was on bail during the trial. He has not misused the liberty. It may take time to dispose of the appeal. The learned Special Court has suspended the sentence during the appeal period and has granted interim bail to the applicant.
5. In view of above, I pass following order.

ORDER

- (I) The application is allowed.
 - (ii) The sentence imposed on the applicant is hereby suspended pending disposal of the appeal. The applicant shall furnish a PR bond in the sum of Rs.15,000/- with one or two sureties in the like amount.
 - (ii) The bail bonds to be furnished before the learned Sessions Judge.
- The interim application stands disposed of.

(SHIVKUMAR DIGE, J.)