



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION NO.175 OF 2024

IN

CRIMINAL APPEAL NO.90 OF 2024

(Siddharth Rama Wakode Vs. State of Maharashtra and anr.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. N. Dolas, Advocate h/f Mr. A.S. Mohan, Advocate for the appellant.
Ms S. Dhote, APP for the State.
Ms K. Deshpande, Advocate for respondent No.2.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- SEPTEMBER 12, 2024.

By this application, the appellant is seeking suspension of sentence and releasing him on bail.

2. Learned Counsel for the appellant submitted that the appellant was prosecuted of the offence punishable under Sections 354-C of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act, 2012. From the impugned judgment he pointed out that he has many arguable points in the present appeal. The appeal would take its own time for its final disposal. In the meantime, if sentence is executed the purpose of preferring the appeal would frustrate. In view of that, he be released on bail and the execution of sentenced be suspended.

3. Learned APP and learned Counsel for respondent No.2 strongly opposed the application on the

ground that the appeal itself is devoid of merits and therefore, the application deserves to be rejected.

4. I have heard learned Counsel for both the parties and perused the order passed by the Additional Sessions Judge, Khamgaon from which learned Counsel for the appellant has pointed out that he has many arguable points in the present appeal. The appeal would take its own time for its final disposal. In the meantime, if sentence is executed the purpose of preferring the appeal would frustrate. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order :

(i) The application is allowed.

(ii) The execution of the sentence vide order dated 24/03/2023 passed by the Additional Sessions Judge, Khamgaon in Special Case No.37/2019 is hereby suspended till final disposal of the appeal.

(iii) The appellant – Siddharth Rama Wakode be released on bail on executing P.R. Bond in the sum of Rs.25,000/- (Rs. Twenty Five thousand) with one surety, in the like amount.

5. The application stands disposed of.

CRIMINAL APPEAL NO.90 OF 2024

Heard.

2. **ADMIT.**
3. Learned APP waives notice for the State.
4. Call for R. & P.
5. Place the appeal before the Court after preparation of the paper book.

(URMILA JOSHI-PHALKE, J.)

**Divya*