



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 2850 OF 2024
IN APPEAL/637/2024**

Ravi Vasanta Watane
Age: 33 years, Occu. : Agriculture,
R/o. Wazar, Taluka Jintur,
District : Parbhani.Applicant

Versus

1. State of Maharashtra
Through Police Station Officer,
Bamni Police Station,
Taluka : Jintur, District Parbhani.
2. XYZRespondents

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Advocate for Applicant : Mr. Satyajit S.Bora
APP for Respondent no.1 : Mr.N.R.Dayma
Advocate for Respondent no.2 : Mr. Ketan D. Pote (appointed)

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 22 APRIL, 2025

ORDER :

1. This is an application for suspension of sentence and grant of bail in consequence to conviction recorded by learned Special Judge, Parbhani District : Parbhani, dated 18-06-2024, in Special Case (POCSO) No.98 of 2021, for offence under Section 12 of the Protection of Children from Sexual Offences Act (POCSO Act).

2. Learned counsel pointed out that applicant was tried vide Special Case (POCSO) No.98 of 2021 for offence under Sections 354-D, 506 of the Indian Penal Code and under Section 12 of the POCSO Act and by judgment and order dated 18-06-2024, he is held guilty for offence under Section 12 of the POCSO Act and sentenced to suffer simple imprisonment for two years and to pay fine. Learned counsel makes a statement that applicant was on bail during the trial. He submitted that fine amount is deposited. That, appeal is filed against the impugned judgment recently and it would take long time to be heard and decided. Therefore, he prays for suspension of sentence and grant of bail.

3. Learned APP and learned counsel for informant strongly opposed the application on the ground that on full-fledge trial, conviction has been recorded. They also apprehends misuse of liberty, if bail is granted.

4. Taking into account aforesaid submissions and considering the quantum of sentence and aspect of appeal being filed in 2024 and as there are no immediate prospects of appeal being heard and concluded, relief as prayed deserves to be granted. Hence, following order:

ORDER

- (i) Criminal Application stands allowed.
- (ii) The substantive sentence imposed on the applicant Ravi Vasanta Watane in Special Case (POCSO) No.98 of 2021 by the learned Special Judge, Parbhani on 18-06-2024, stands suspended till the final hearing and disposal of Criminal Appeal No.637 of 2024.
- (iii) The applicant be released on PR. Bond of Rs.15,000/- (Rs. Fifteen thousand only) with two solvent sureties in the like amount.
- (iv) The applicant shall not commit any criminal activity.
- (v) The applicant shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date he tenders bail papers and thereafter, the trial Judge to fix dates for his subsequent appearances.
- (vi) In case of two consecutive defaults on the part of the applicant to remain present before the trial Court, the trial Court to inform this Court about the same and in that eventuality, the prosecution would be at liberty to file an application for cancellation of the bail granted to the applicant.
- (vii) Bail before the trial Court.
- (viii) Fees of the learned counsel appointed to represent respondent no.2 is to be paid through the High Court Legal Services Sub-Committee, Aurangabad, as per Rules.

(**ABHAY S. WAGHWASE**)
JUDGE