



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

**913 CRIMINAL APPLICATION NO. 3331 OF 2025
IN APEAL/644/2025**

SACHIN DATTATRAY DASIME

....Applicant

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

.....Respondent

WITH

CRIMINAL APPEAL NO. 644 OF 2025

Mr. M. P. Kolpe, Advocate h/f Mr. V. B. Deshmukh, Advocate for the applicant

Ms V. S. Choudhari, APP for the respondents/State

Mr. J. P. Reddy, Advocate for the respondent No. 2 (appointed)

CORAM : ABHAY J. MANTRI, J.

DATE : 04th OCTOBER, 2025

PER COURT :

1. The applicant/appellant has filed this application to suspend the substantive sentence awarded by the judgment and order dated 02-08-2025 passed by the learned Sessions Judge (POCSO), Omerga in Special (POCSO) Case No. 10/2020 whereby awarded the punishment under section 354 of the IPC and Section 8 of the POCSO for 3 years and to pay fine of Rs.2000/-.

2. Heard the learned advocate for the applicant, learned APP for the State and learned advocate for respondent No. 2. Perused

the record.

3. At the outset, it appears that during the trial, the applicant was on bail. After the conviction order was passed, he was released on bail after furnishing PB and SB of Rs. 2000/-. The applicant has deposited the fine amount in the learned trial court.

4. *Moreover*, the applicant has preferred the appeal challenging the impugned judgment and order. The appeal will take its own time to be finally decided. The learned advocate for the applicant further submitted that the nature of the sentence is short-term. Therefore, he urged the application to be allowed.

5. Considering the above facts and grounds raised in the appeal memo and the allegations against the applicant, in my view, it would be appropriate to suspend the substantive sentence and release the applicant on bail accordingly. As such, the criminal application is allowed. The impugned substantive sentence imposed by the judgment and order dated 02-08-2025 passed by the learned Sessions Judge (POCSO), Omerga in Special (POCSO) Case No. 10/2020 is hereby suspended till disposal of the appeal and the applicant be released on bail on furnishing PB and SB of Rs.1 lakh before the learned trial court within a period of four weeks, failing which, necessary order will be passed.

8. Learned advocate for the respondent No. 2 is appointed

through the Legal Services Authority. Hence, his fee is to be quantified as per the rules of the High Court Legal Aid Services Sub-Committee.

APPEAL

1. Heard.
2. Having considered the grounds raised in the appeal memo, the appeal is '**admitted**'.
3. The learned APP waives service of notice for the respondents/State. Mr. Reddy, learned advocate, waives service of notice for respondent No. 2.
4. Call for R & P along with the paper book.
5. List the matter after receipt of R & P

[ABHAY J. MANTRI, J.]