

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRI-INTERIM APPLICATION NO. 3154 OF 2025
IN
CRIMINAL APPEAL NO. 166 OF 2023**

Balramkumar Ramvilas Goutam	...Applicant
Versus	
The State Of Maharashtra And Anr.	...Respondents

Mr. Amit Mane for Applicant.
Dr. A. A. Takalkar, APP for the Respondent-State.
Adv. P. A. Kharade, Advocate for Respondent No.2.
Mr. Gorakh Ganpati patil (PC), Police Station MIDC Kupawad, Sangli,
present.

**CORAM : SHIVKUMAR DIGE, J.
DATE : 16th DECEMBER 2025**

P.C.

1. By this application, the applicant is seeking suspension of sentence.
2. It is contention of learned counsel for the applicant that the applicant is convicted by learned Extra Joint District Judge and Additional Sessions Judge, Sangli in Special (POCSO) Case No.70 of 2018 vide order dated 17.12.2021 for the offence punishable under Sections 376(2)(1)(n) of the Indian Penal Code, 1860 and under Section 6 of the Protection of Children from Sexual Offences Act, 2012 and sentenced to suffer rigorous imprisonment for 20 years and

to pay fine amount of Rs.25,000/-, and in default, to suffer further rigorous imprisonment for one year. Learned counsel further submitted that the date of offense is of the year 2018. The Trial Court should have considered that at that time the minimum sentence was of 10 years but this fact is not considered the Trial Court. Learned counsel further submitted that the applicant is behind the bar for more than 7 years. It may take time to dispose off the appeal and requested to allow the application.

3. It is contention of learned APP and respondent No.2 that the applicant sexually assaulted the minor victim. The applicant is a resident of Uttar Pradesh. If he released on bail, he may abscond. Hence, requested to reject the application.

4. I have heard all the counsel and perused the impugned judgment and order passed by the Trial Court.

5. The date of offence is of the year 2018, at that time, the minimum punishment was of 10 years. The amendment of minimum punishment of 20 years came into effect in August 2019. The Trial Court has imposed minimum sentence of 20 years. If minimum sentence of ten years is considered, the applicant is behind bar for more than 7 years. He is Karta of his family. It may take time

to dispose off the appeal. Considering these facts, I pass the following order :

ORDER

- (i) The Application is allowed;
 - (ii) The substantive sentence of imprisonment awarded to the applicant by the learned Extra Joint District Judge and Additional Sessions Judge, Sangli in Special (POCSO) Case No.70 of 2018 vide order dated 17.12.2021 is hereby suspended pending disposal of appeal.
 - (iii) The applicant be enlarged on bail on furnishing PR bond in the sum of Rs.15,000/- with one or two sureties in the like amount.
 - (iv) The bail bonds to be furnished before the learned Extra Joint District Judge and Additional Sessions Judge, Sangli.
6. The application is allowed in the aforesaid terms and is accordingly disposed off.
7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)