

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3574 OF 2025
IN
CRIMINAL APPEAL NO. 124 OF 2021

Laxman Gorakh Pitekar ...Applicant
Versus
The State of Maharashtra And Anr. ...Respondents

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Mr. Kuldeep U. Nikam, for Applicant.

Ms. Veera Shinde, APP for the Respondent No.1-State.

Adv. D. Gala, Advocate for Respondent No.2.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 12th NOVEMBER, 2025

PC.

1. By this Application, the applicant is seeking suspension of sentence and grant of bail.

2. It is contention of learned counsel for applicant that the applicant has been convicted by Additional Sessions Judge, Satara vide order dated 22/12/2020 in Spl (Child) Case No. 51 of 2014 for the offence under Section 4 of the Protection of Children From Sexual Offences Act, 2012 and sentenced to suffer rigorous imprisonment for seven years and to pay fine of Rs.500/-. Learned counsel further submitted that the applicant is sentenced to suffer rigorous

imprisonment under Section 377 of the Indian Penal Code for a period of two years with fine of Rs.500/- and he also sentenced to suffer rigorous imprisonment under Sections 363, 504 and 506 of IPC for period of one year each with fine of Rs.500/-. The applicant has paid the fine amount. Learned counsel further submitted that the applicant has undergone more than five years out of seven years. Hence, requested to allow the application.

3. It is contention of learned APP along with learned counsel for Respondent No.2 that the applicant has been convicted. If applicant released on bail, he may abscond. Hence, requested to reject the application.

4. I have heard all the learned counsels, perused the impugned judgment and order. The applicant has undergone more than five years out of sentence of seven years. It may take time to dispose off the appeal. Considering these facts, I pass following order.

ORDER

- (i) Application is allowed;
- (ii) The substantive sentence of imprisonment awarded to the applicant by learned Additional Sessions Judge, Satara in Special (Child) Case No. 51 of 2014 vide order dated 22/12/2020 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 Additional Sessions Judge, Satara.

5. The application is allowed in the aforesaid terms and is accordingly disposed off.

(SHIVKUMAR DIGE, J.)