

Mr. Siyal Magdum a/w J. Bhutelo a/w Mr. Pankajsinh Deshmukh
Advocate for the Applicant
Adv. A. M. Peerzade for respondent respondent through Legal Aid.
Mr. S. H. Yadav, APP for the State

CORAM : SHIVKUMAR DIGE, J.
DATE : 3rd DECEMBER, 2025.

INTERIM APPLICATION NO. 3528 OF 2025:

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1. By this application the applicant is seeking suspension of sentence imposed by the learned Sessions Judge, Islampur in Special Case No. 34 of 2022.

2. It is contention of learned counsel for applicant that applicant has been convicted for offence punishable under Section 7 and 8 of The Protection of Children from Sexual Offences Act, 2012 and is sentenced to suffer rigorous imprisonment for three years and fine of Rs. 5,000/-, in default of payment of fine, to suffer simple imprisonment for one month. He is further convicted for offence

punishable under Sections 11 and 12 of The Protection of Children from Sexual Offences Act, 2012 and sentenced to suffer rigorous imprisonment for one year and fine of Rs. 5,000/-, in default of payment of fine, to suffer simple imprisonment for one month.

3. It is contention of learned counsel for applicant that the applicant has deposited the fine amount before the Trial Court. The applicant was on bail during the trial. He has not misused the liberty. Hence, requested to allow the application.

4. It is contention of learned APP that prosecution has proved the case beyond the reasonable doubt. The Trial Court has passed well reasoned order and no interference is required in it. Hence, requested to reject the application.

5. I have heard both learned counsels, perused impugned Judgment and Order. The applicant has deposited the fine amount before the Trial Court. The sentence imposed on the applicant is short term sentence. The applicant was on bail during the trial and has not misused the liberty. It may take time to dispose of the appeal and I pass the following order:

ORDER

I. The application is allowed.

II. The substantive sentence of imprisonment awarded to the applicant by learned Sessions Judge, Islampur in Special Case No. 34 of 2022 vide order dated 25/08/2025 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 Sessions Judge, Islampur, District Sangli.

V. The application is disposed off accordingly.

CRIMINAL APPEAL NO. 915 OF 2025:

6. Admit.

(SHIVKUMAR DIGE, J.)