

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL INTERIM APPLICATION NO. 1449 OF 2024

IN

CRIMINAL APPEAL NO. 365 OF 2024

Pravin Arun Chavan

... Applicant

Versus

State of Maharashtra and Anr.

... Respondents

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KILAJE

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Mr. Yash G. Fadtare, Advocate for the Applicant.

Mr. Pankaj P. Deokar, APP for the State.

CORAM : SHIVKUMAR DIGE, J.

DATED : 9th APRIL, 2025.

P. C. :

1. This is an application for suspension of sentence and bail.
2. Heard learned counsel for the applicant and learned APP for the State.
3. The applicant has been convicted for an offence punishable under Section 354-D of Indian Penal Code and he is to undergo six months rigorous imprisonment and to pay fine of Rs.2,000 in default he is to undergo 15 days rigorous imprisonment. The applicant is convicted for an offence punishable under Section 66(E) of the Information and Technology Act, 2000 and he is to undergo six months rigorous imprisonment and to

pay fine of Rs.10,000/- in default he is to undergo one month rigorous imprisonment. The Applicant is also convicted for an offence under Section 11(ii)(iv)(v)(vi) punishable under Section 12 of the Protection of Children from Sexual Offences Act, 2012 (for short “POCSO Act”) and he is to undergo six months rigorous imprisonment and to pay fine of Rs.2,000/- in default he is to undergo 15 days rigorous imprisonment.

4. It is contention of learned counsel for the applicant that the Trial Court has granted bail and suspended sentence of the applicant till filing appeal. During the trial the applicant was on bail. The applicant is young with no criminal antecedents. The applicant is not a habitual offence, hence requested to allow the application.

5. Learned APP strongly objected to allow the application.

6. I have heard both the learned counsel. The sentence imposed on the applicant is short term sentence. The Trial Court has granted bail to the applicant and suspended his sentence till filing the appeal. During the trial the applicant was on bail. It may take time to dispose of the appeal.

7. In view of above, I pass following order.

ORDER

- i. The substantive sentence imposed on the applicant in Special Case No. 69 of 2022 is suspended till disposal of the appeal.

- ii. The applicant be enlarged on bail on furnishing PR.Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
 - iii. The bail bond to be furnished before the Trial Court.
8. Interim application stands disposed of.
9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)