

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 625 OF 2025

IN

CRIMINAL APPEAL NO. 148 OF 2025

Deepak Madhukar Mane

... Applicant

Versus

State of Maharashtra & Anr.

... Respondents

.....

Mr. Tohid Shaikh i/b. Ms. Anjali Patil, Advocate for the Applicant.

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

CORAM : SHIVKUMAR DIGE, J.

DATED : 27th MARCH, 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 by the learned Sessions Court, Mumbai under Section 235(2) of the Code of Criminal Procedure ("Cr.P.C.") for the offence punishable under Section 12 of the Protection of Children from Sexual Offences Act, 2012 (for short "POCSO Act") and sentenced to suffer imprisonment for 2 years with a fine of Rs.10,000/-, in default to pay fine applicant to suffer simple imprisonment for the period

of two months. The applicant has been convicted under Section 235(2) of the Cr.P.C. for the offence punishable under Section 354-D of the Indian Penal Code, 1860 ("IPC") and sentenced to suffer imprisonment for 2 years with a fine of Rs.5,000/-, in default to pay fine, applicant to suffer simple imprisonment for the period of one month. The applicant is convicted under Section 235(2) of Cr.P.C. for the offence punishable under Section 506-II of the IPC and sentenced to suffer imprisonment for 2 years. The applicant is further convicted under Section 235(2) of the Cr.P.C. for the offence punishable under Section 354-A of the IPC.

4. It is contention of learned counsel for the applicant that the trial Court has granted bail and suspended his sentence till final disposal of the appeal. During the trial the applicant was on bail, hence requested to allow the application.

5. The 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 final disposal of the appeal. During the trial the applicant was on bail. It may take time to dispose of the trial.

7. In view of above, the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of the appeal, on

the following terms and conditions:

ORDER

- i. The substantive sentence imposed on the applicant in POCSO Spl. Case No. 491 of 2016, in terms of order dated 28.01.2025 passed by the learned Sessions Judge, Mumbai, till final disposal of the appeal.
 - ii. The applicant be enlarged on bail on furnishing P.R.Bond in the sum of Rs. 50,000/- with one or two sureties in the like amount.
 - iii. The bail bond to be furnished before the trial Court.
8. The Interim application stands disposed of.
 9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)

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signed by
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