

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1021 of 2025
in
CRIMINAL APPEAL NO. 244 of 2025

Rushikesh Santosh Kurhade ... Applicant

versus

The State of Maharashtra and anr. Respondent

Mr. Deva Shinde i/b. Mr. Raviraj Paramane, Advocate for the Applicant.
Ms. Ranjana D. Humane, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th MARCH, 2025.

P.C. :

1. By this application, the applicant is seeking suspension of sentence and bail during the pendency of appeal filed by the applicant.
2. The applicant has been convicted for the offences punishable under Section 452, 354 of the Indian Penal Code 1860 (for short "IPC") and Section 8 of the Protection of Children from the Sexual Offences Act, 2012 (for short "Protection of Children from Sexual Offences Act, 2012 (for short "POCSO Act") and is sentenced to suffer rigorous imprisonment for one year with fine of Rs.2,000/- each of the offences punishable under Section 452, 354 of the IPC and suffer rigorous imprisonment for three years with fine of Rs.2,000/-for offence punishable under Section 8 of POCSO Act.

3. It is the contention of learned counsel for the applicant that the trial Court has granted bail and suspended his sentence till 12th March 2025. During the trial, the applicant was on bail and he has not misused the liberty. Hence, requested to allow the application.

4. The learned APP for respondent No.1 – State strongly objected to allow the application.

5. I have heard both learned counsel.

6. The maximum sentence imposed on the applicant is of three years. The trial Court has granted bail to the applicant and suspended his sentence till 12th March 2025. During the trial, the applicant was on bail and he has not misused the liberty. It may take time to dispose of the appeal.

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 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.
 - ii. The bail bond to be furnished before the Trial Court. Interim Application stands disposed of.
9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)