

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.358 OF 2022

Ramesh Bhola Srivastav ... Appellant
Vs.
State of Maharashtra and another ... Respondents

WITH
INTERIM APPLICATION NO.1260 OF 2025
IN
CRIMINAL APPEAL NO.358 OF 2022

Ms. Vilasini Balasubramanian, Advocate (appointed through Legal Aid) for Appellant.

Ms. Pallavi N. Dabholkar, APP for Respondent No.1-State.

**CORAM : MANISH PITALE &
MANJUSHA DESHPANDE, JJ.**
DATE : NOVEMBER 26, 2025

P.C. :

. On 07.08.2025, a Division Bench of this Court (Coram : Suman Shyam and Shyam C. Chandak, JJ.) passed the following order:-

“ Ms. Vilasini B., learned appointed Counsel for the Appellant submits that this is a POCSO case. The victim will have to be heard. However, service report with regard to the Respondent No.2, is still awaited.

2) In view of the above, office to call for the service report of Respondent No.2.

3) List the Appeal on 21/08/2025.

4) On the next date, the request for appointing a Legal Aid Counsel so as to represent the Respondent No.2 shall be considered by this Court in view of the fact that the Appellant/Applicant is seeking suspension of jail sentence and his release on bail.”

2. The learned APP informs this Court that even till date, respondent

No.2 could not be served with the notice. We find substance in the contention raised on behalf of the applicant (appellant) that the hearing of the application seeking suspension of jail sentence and for grant of bail cannot be adjourned further, only on the ground that respondent No.2 is not traceable. As indicated in the order dated 07.08.2025, we are inclined to appoint advocate through Legal Aid for the respondent No.2 so that the application can be taken up for consideration on its own merits.

3. In view of the above, the High Court Legal Services Committee is directed to appoint an advocate from its panel to represent respondent No.2.

4. Considering the fact that even the appellant is represented by the advocate appointed through Legal Aid, the Registry is directed to furnish a copy of the papers pertaining to this application to the office of the High Court Legal Services Committee within a week from today.

5. List the application for further consideration on 08.12.2025.

(MANJUSHA DESHPANDE, J.)

(MANISH PITALE, J.)

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