

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 1471 OF 2025
IN
CRIMINAL APPEAL NO. 259 OF 2020**

Jagdish Chandulal Rawal	..Applicant
Versus	
The State of Maharashtra & Anr.	..Respondents

Ms. Syed Shabana M. Ali for the Applicant.
Mr. Avinash Naik, APP for State/Respondent.
Ms. Devyani Kulkarni for the Respondent No.2.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.**

DATE : 13 JUNE 2025

PC :

1. This application is for temporary bail of 180 days. The Applicant has preferred Criminal Appeal No.259 of 2020 against the Judgment and order dated 07.08.2019. The Applicant was convicted for commission of the offences punishable under sections 376 and 376(2)(n) of the I.P.C. and under sections 4, 5(j-ii), 5(l) and 6 of the Protection of Children from Sexual Offences Act. The major sentence imposed on him was imprisonment for life, besides imposition of fine. The Appeal is already admitted and

the Applicant's bail application was withdrawn.

2. We are considering the present application on humanitarian ground. Learned APP submitted a report dated 09.04.2025. The report is signed by the Assistant Professor, General Medicine, GGMC Mumbai. It is addressed to the Medical Superintendent, Sir JJ Hospital, Mumbai. It was in respect of the committee member's report on the health condition of the present applicant. The report mentions that the applicant is suffering from ischemic heart disease post coronary angioplasty with left ventricular ejection fraction 30-35% along with Type 2 Diabetes mellitus with history of poor control with left lower limb varicose vein disease. The report indicates that surgery for varicose veins is necessary, but because of his heart condition and highly diabetic status, there is some risk involved.

3. The Applicant's son is present in the Court. He submitted that the Applicant would prefer to undergo surgery in a private hospital.

4. Considering that the concerns about the applicant's

health issues are genuine and that a surgery is advised, we are inclined to release the applicant on temporary bail to enable him to undergo surgery.

5. Hence, the following order:

O R D E R

- i) The Applicant is directed to be released on temporary bail for a period of six months from 16.06.2025, on his executing P. R. bond in the sum of Rs.25000/-.
- ii) The Applicant's son shall stand as a surety for him.
- iii) The Applicant shall give details of the hospital where he is planning to undergo surgery and take treatment to the I.O.
- iv) The investigating agency is at liberty to verify this claim and to verify whether the applicant is available during the next six months.
- v) At the end of the period of six months from 16.06.2025, the applicant shall surrender before the prison authorities.

vi) The Application is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)