

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

**INTERIM APPLICATION NO. 2516 OF 2025
IN
CRIMINAL APPEAL NO. 687 OF 2021**

Pintu Mathura Sav

...Applicant

V/s.

The State of Maharashtra and Ors.

...Respondents

Adv. Syed Shabana Mashkoo Ali, Advocate for the Applicant.

Mr. V. N. Sagare, APP for the Respondent/State.

Mr. Abhishek Kulkarni a/w Mr. Sagar Wakale, and Adv. R. S. Pere,
Advocate for the Respondent Nos. 2 and 3.

CORAM : N.R. BORKAR, J.
DATE : 03.09.2025.

P.C. :

1. By this application, the applicant is seeking suspension of sentence and grant of bail during the pendency of the Criminal Appeal No. 687 of 2021 filed by him against the judgment and order dated 28.07.2021 passed by the Special Judge, Gr. Bombay, in Special Case No. 297 of 2015, by which the learned Special Judge has convicted the applicant for the offence punishable under Section 370 read with 34 of the Indian Penal Code, 1860 (IPC) under Sections 3, 4, 5, 6(3)(a) and 7 of the Immoral Traffic (Prevention) Act, 1956 (ITPA) and Sections 4, 6 and 17 of the

Protection of Children from Sexual Offences Act, 2012 (POCSO Act) and sentenced him to suffer rigorous imprisonment ranging from 1 year to 7 years.

2. I have heard the learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the respondent No.2-victim.

3. The learned counsel for the applicant submits that the applicant has already undergone a sentence of six and half years. It is submitted that there are no other criminal antecedents.

4. On the other hand, the learned APP for the respondent-State and the learned counsel for the respondent No.2-State submit that considering the nature of conviction the sentence may not be suspended.

5. The fact that the applicant has already undergone sentence of six and half years is not disputed. The maximum sentence imposed by the trial Court is seven years. In that view of the matter, I am inclined to suspend the sentence and release the

applicant on bail. In the result the following order is passed:

ORDER

a] The Application is allowed.

b] The substantive sentence imposed by the trial Court upon the applicant is hereby suspended.

The Applicant shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

[N.R.BORKAR, J.]