



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPEAL NO.77 OF 2025

Arun Shankarrao Husukle

Vs.

State of Maharashtra, through its P.S.O., PS Butibori, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr J.B. Gandhi, Advocate for the appellant.

Mr U.R. Phasate, APP for the State.

CORAM : G.A. SANAP, J.

DATE : 10.02.2025

Heard.

2. **ADMIT.**

3. Issue notice to the respondent.

4. Learned APP waives service of notice on behalf of
the State.

5. Call for the record and proceedings.

Criminal Application No. 138 OF 2025

1. Heard.

2. Issue notice to the respondent.

3. Learned APP waives service of notice on behalf of
the State.

4. This is an application filed by the
appellant/accused for suspension of his sentence and grant
of bail.

5. The appellant/accused has been convicted by the learned Special Judge, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Nagpur in Spl. (Atrocity) Case No.34/2017 vide judgment and order dated 31.01.2025 for the offence punishable under Section 21 of the Protection of Children from Sexual Offences Act, 2012. He is sentenced to suffer simple imprisonment for six months with fine of Rs.10,000/-, in default of payment of fine to suffer further simple imprisonment for 15 days.

6. The grounds have challenged to the impugned judgment and order. The maximum sentence awarded by the learned Judge is six months simple imprisonment. The accused has deposited fine amount of Rs.10,000/-. The learned Judge on pronouncement of judgment and order suspended the sentence. In my view, considering the fact that this appeal would take its own time for final adjudication and the sentence is of six months imprisonment, it would be just and proper to allow the application and suspend the sentence.

7. Accordingly, the application is allowed.

i) The sentence awarded by learned Special Judge, Scheduled Castes and Scheduled Tribes (Prevention of

Atrocities) Act, Nagpur in Spl. (Atrocity) Case No.34/2017 vide judgment and order dated 31.01.2025 for the offence punishable under Section 21 of the Protection of Children from Sexual Offences Act, 2012 shall remain suspended during pendency of the appeal.

ii) Appellant- **Arun s/o Shankarrao Husukle** be released on bail on his furnishing P.R. bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) and one surety in the like amount .

iii) Bail before the Trial Court.

8. Criminal Application stands disposed of.

(G. A. SANAP, J.)

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