



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

CRIMINAL APPEAL NO. 90 OF 2025

Jaisingh Awadhaya Chavhan

.vs.

State of Maharashtra, through PSO, PS Arni, Distt. Yavatmal and another

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

Mr R. J. Shinde, Advocate for the appellant

Mr N. R. Rode, APP for the respondent No.1/State

CORAM : G.A. SANAP J.

DATE : FEBRUARY 14, 2025

Heard.

2. Issue notice to the respondents, returnable within three weeks.

3. Learned APP waives service of notice on behalf of respondent No.1/State.

CRIMINAL APPLICATION (APPA) NO.154 OF 2025

4 Heard.

5 This is an application for suspension of substantive sentence. Heard the learned Advocate for the appellant and learned APP for the State. Perused the record and proceedings.

6 The appellant/accused is convicted for the offence punishable under Section 8 of the Protection of

Children From Sexual Offences Act, 2012 (for short 'the POCSO Act') and Sections 294 and 341 of the Indian Penal Code (for short 'the IPC'). The appellant is sentenced to suffer rigorous imprisonment for three years and directed to pay a fine of Rs.1000/-, in default of payment of fine further directed to undergo rigorous imprisonment for 15 days for the offence punishable under Section 8 of the POCSO Act, he is further sentenced to suffer simple imprisonment for three months and to pay a fine of Rs.1000/-, in default of payment of fine to undergo simple imprisonment for 15 days for the offence punishable under Section 294 of the IPC and for the offence punishable under Section 341 of the IPC he is sentenced to suffer simple imprisonment for one month and to pay a fine of Rs.500/- and in default of payment of fine to undergo simple imprisonment for 15 days.

7 It is stated that during the pendency of the trial the appellant was on bail. There is no allegation of misuse of liberty by him during the pendency of the trial. It is pointed out that the learned Sessions Judge was pleased to suspend the substantive sentence. It is undisputed that the appellant has deposited the fine amount. In the facts and circumstances, the application is **allowed**.

8 The substantive sentence awarded by the learned Special (POCSO) Judge, Darwha in Special Case (POCSO) No. 22 of 2017 vide judgment and order dated 17.01.2025 shall remain suspended during the pendency of this appeal.

9 Appellant- **Jaisingh Awadhaya Chavhan** be released on bail on furnishing PR bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand only) with surety in the like amount.

10 Bail before the trial Court.

11 The criminal application stands **disposed of**, accordingly.

(G. A. SANAP, J)

Namrata