



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

CRIMINAL APPLICATION NO.255 OF 2025

IN

CRIMINAL APPEAL NO.137 OF 2025

(Rahul Banduji Nandurkar Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. R.S. Thengne, Advocate for the appellant.
Ms S.S. Dhote, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 12, 2025.

By this application, the appellant is seeking suspension of sentence and releasing them on bail.

2. Learned Counsel for the appellant submitted that the appellant is convicted of the offence punishable under Section 452, 354, 254-A of the Indian Penal Code and under Section 8 r/w Section 7 of the Protection of Children From Sexual Offences Act, 2012. The maximum punishment imposed is of a three years. The appellant has already deposited the fine amount.

3. From the impugned judgment the learned Counsel has pointed out that he has many arguable points in the present appeal. The appeal would take its own time for its final disposal. Moreover, the punishment imposed is of a limited period. In the meantime, if sentence is executed the purpose of preferring the appeal would

frustrate. In view of that, the execution of sentenced be suspended.

4. Learned APP strongly opposed the application on the ground that the appeal itself is devoid of merits, and therefore, the application deserves to be rejected.

5. I have heard learned Counsel for both the parties and perused the impugned judgment and order from which learned Counsel for the appellant has pointed out that he has many arguable points in the present appeal. The punishment imposed is of a limited period. The appeal would take its own time for its final disposal. Considering all theses aspects, the execution of sentence deserves to be suspended. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order :

(i) The application is allowed.

(ii) The execution of the sentence vide order dated 14/02/2025 passed by the Special Judge-1, Kelapur in Special Case Child Prot. No.20/2018 is hereby suspended till final disposal of the appeal.

(iii) The appellant – Rahul Banduji Nandurkar be released on bail on executing PR. Bond in the sum of Rs.15,000/- (Rs.

Fifteen thousand) with one surety, in the like amount.

6. The application stands disposed of.

CRIMINAL APPEAL NO.137 OF 2025

Heard.

2. **ADMIT.**

3. Learned APP waives notice for the State.

4. Call for R. & P.

5. Place the appeal before the Court after preparation of the paper book.

(URMILA JOSHI-PHALKE, J.)