



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO. 299 OF 2025 IN
CRIMINAL APPEAL NO. 159 OF 2025

Deepak Rangrao Sawarkar Vs State of Maharashtra and another.

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

Court's or Judge's Order

Mr. Vipul Bhise, counsel for applicant/appellant.

Mr. N.B. Jawade, APP for Respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 25/03/2025.

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

2. Heard learned counsel for the appellant, who submitted that the Special Court, Akot, District Akola, held the present appellant guilty for the offence punishable under Section 354-A(1)(ii), 354D of the Indian Penal Code, 1860, and Section 12 of the Protection of Children from Sexual Offences Act, 2012, and sentenced him to suffer rigorous imprisonment for three years and pay fine of Rs. 10,000/-, in default, rigorous imprisonment for three months. The fine amount is already paid.

3. Learned counsel for the appellant submitted that the limited period punishment is imposed. The appeal would take its own time for its final disposal. In the meantime, if the sentence is executed, the appeal would become

infructuous. He also pointed out from the impugned judgment that he has many arguable points in the present appeal.

4. Learned APP strongly opposed the said application on the ground that the appeal itself is devoid of merits.

5. On hearing both sides and on perusal of the impugned judgment, from which learned counsel for the appellant has pointed out that he has many arguable points. Moreover, the punishment is of limited period, and the appeal would take its own time for its final disposal. In the meantime, if the sentence is executed, the appeal would become infructuous. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- a. Application is **allowed**.
 - b. The execution of the sentence passed in Special Case No. 36/2019 is hereby suspended till disposal of the appeal.
 - c. The appellant shall be released on bail on executing P.R. bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
6. The criminal application (APPA) No. 299 of 2025 is **disposed of**.

CRIMINAL APPEAL NO. 159 OF 2025

1. Heard.
2. **Admit**
3. Call for record and proceedings.
4. Issue notice to the respondent No.2/victim
5. Learned APP waives service of notice on behalf of respondent/State and seeks time to file reply.
6. Appeal be listed before this Court after preparation of the paper-book.

[URMILA JOSHI-PHALKE, J.]