



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

CRIMINAL APPLICATION (APPA) NO.352 OF 2025
IN
CRIMINAL APPEAL NO.188 OF 2025

Dwarka Shriram Arkhel

Vs.

State of Maharashtra, through Police Station Officer, Police Station
Panchpaoli, District Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. L. B. Khergade, Counsel, h/f Mr. C. R. Thakur, Counsel for the
appellant.

Ms. T. H. Udeshi, APP for non-applicant /State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 09/04/2025

1. By this application, the appellant is seeking suspension of sentence and releasing him on bail.
2. The appellant is prosecuted for the offence punishable under Section 8 of the Protection of Children from Sexual Offences Act and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs.5,000/-, in default further rigorous imprisonment for three months.
3. Heard learned Counsel for the appellant who submitted that the punishment imposed is of a limited period. The appeal would take its own time for its final decision. In the meantime, if 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 and prayed for suspension of sentence.

4. Learned APP strongly opposed for the same on the ground that the appeal itself devoid of merits and therefore, prayed for rejection of the application.

5. After hearing both the sides and on perusal of the impugned judgment from which the learned Counsel for the appellant has pointed out that he has many arguable points. Moreover, the punishment imposed is of a limited period. The appeal would take its own time for its final disposal. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The execution of the sentence passed in Special Cri. (Child) Case No.209/2023 is hereby suspended till disposal of the appeal.

(iii) The appellant shall be released on bail on executing PR Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

The application is disposed of.

CRIMINAL APPEAL NO.188 OF 2025

1. Heard.
2. **Admit.**
3. Learned APP waives notice for the State.
4. Call for the record and proceedings.
5. Appeal be listed before the Court after preparation of the paper book.

(URMILA JOSHI-PHALKE, J.)