



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

CRIMINAL APPEAL NO.327 OF 2025

Mehul Pravin Koche, Pulgaon, Wardha
vs.

State of Maharashtra, Thr. PSO, PS Pulgaon, Tah. Deoli, Dist. Wardha and anr.

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

Court's or Judge's orders

Shri N. P. Singhania, Advocate for appellant/applicant.

Ms S. N. Thakar, Additional Public Prosecutor for respondent/State.

Ms Deepali Patil, Advocate h/f Ms Kirti Lokare (Wankhade), Advocate
(appointed) for respondent No.2.

CORAM : NIVEDITA P. MEHTA, J.

DATED : 17th SEPTEMBER, 2025

Criminal Application (APPA) No.793/2025

In Criminal Appeal No.327/2025, the applicant has preferred application under Section 430 of Bhartiya Nagarik Suraksha Sanhita, 2023 for suspension of sentence and for bail pending disposal of the appeal.

2. In the appeal, the applicant/appellant has assailed the judgment and order dated 26/11/2024 passed by the Ad-hoc Additional Sessions Judge, Wardha in Special POCSO Case No.76/2022 convicting the applicant for the offence punishable under Section 354 (A)(1) (i), 354(D), 504, 506 of the Indian Penal Code and Section 8 and 12 of Protection of Children from Sexual Offences Act, 2012 and sentencing him to undergo Rigorous Imprisonment for period of three years and to pay fine of Rs.1500/-, in default of payment of fine, to undergo Rigorous Imprisonment for period of six months.

3. The learned counsel for the applicant submits that the applicant was on bail and has not misused his liberty during the

trial. The punishment awarded by the trial Court is for a limited period. Hence he urged for suspension of sentence and prayed for grant of bail till final disposal of the appeal.

4. Per contra, the learned Additional Public Prosecutor as well as the counsel for the victim-respondent No.2 strongly opposed the application on the ground that there is likelihood of misusing the liberty by the applicant.

5. Considering the nature of offence and the consequences of conviction of the applicant, this Court is satisfied that a case is made out for suspension of sentence till final disposal of the appeal. It is however clarified that this Court has not gone into the merits of the case which will be examined during final hearing of the appeal.

6. Accordingly, the application is allowed. The sentence of conviction passed by the learned Ad-hoc Additional Sessions Judge, Wardha in Special POCSO Case No.76/2022 convicting the applicant for the offence punishable under Section 354 (A) (1) (i), 354(D), 504, 506 of the Indian Penal Code and Section 8 and 12 of Protection of Children from Sexual Offences Act, 2012 stands suspended till final disposal of the appeal.

7. The applicant Mehul Pravin Koche shall be released on bail on his furnishing P. R. Bond in the sum of Rs.20,000/- with one solvent surety in the like amount before the trial Court.

8. The applicant shall not indulge into any illegal activities and shall attend the concerned police station i.e. Police Station

Pulgaon, District Wardha on first Monday of every month between 11 am to 1 pm. The applicant shall appear before the Court as and when directed.

9. The learned Additional Public Prosecutor or the Investigating Officer is at liberty to seek cancellation of bail if any of the aforesaid conditions is breached or for any other sufficient reason.

10. Criminal Application is disposed of in above terms.

11. Learned counsel for the applicant/accused has filed a pursis and submitted that the trial Court has wrongly mentioned the name of accused in the judgment as **Mehul Pravin Khoche** instead of **Mehul Pravin Koche**.

The name of accused in the judgment of the trial Court be corrected and read as **Mehul Pravin Koche**.

(Nivedita P. Mehta, J.)