



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

CRIMINAL APPLICATION (APPA) NO.597 OF 2025
IN
CRIMINAL APPEAL NO.336 OF 2025

Dinkar Chokharam Kakde

Vs.

State of Maharashtra, through Police Station Officer, Police Station Dhad
District Buldhana

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

Court's or Judge's orders

Mr. N. R. Raut, Counsel for the appellant.
Ms. M. A. Barabde, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 15/07/2025

1. By preferring this appeal, the appellant has challenged the judgment and order of sentence passed in Special (POCSO) Case No.23/2020 by which the appellant is convicted for the offence punishable under Section 354-A(1)(i)(ii) of the Indian Penal Code and sentenced to suffer rigorous imprisonment for two years and fine of Rs.1,000/-, in default to suffer simple imprisonment for one month. He is further convicted for the offence punishable under Section 354 of the Indian Penal Code and for the offence punishable under Section 354-D and sentenced to suffer rigorous imprisonment for two years and fine of Rs.1,000/-, in default to suffer simple imprisonment for one month and for the offence punishable under Section 506 of the Indian

Penal Code and sentenced to suffer rigorous imprisonment for three years and fine of Rs.1,000/-, in default to suffer simple imprisonment for one month and he is further convicted for the offence punishable under Section 8 of the Protection of Children from Sexual Offences Act (POCSO) Act and sentenced to suffer rigorous imprisonment for three years and fine of Rs.1,000/-, in default to suffer simple imprisonment for one month.

2. Learned Counsel for the appellant has pointed out from the impugned judgment that he has many arguable points in the present appeal. The appeal would take its own time for its final disposal. The punishment is of a limited period.

3. Learned APP strongly opposed for the same and submitted that the appeal is devoid of merit.

4. On hearing both sides and on perusal of the impugned judgment from which it is pointed out that he has many arguable points. Moreover, the punishment 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 sentence imposed in Special (POCSO) Case No.23/2020 is hereby suspended till disposal of the appeal.

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

The application is disposed of.

Criminal Appeal No.336/2025

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

(URMILA JOSHI-PHALKE, J.)