



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

CRIMINAL APPLICATION (APPA) NO. 512 OF 2025

IN

CRIMINAL APPEAL NO. 286 OF 2025

AJITKUMAR RAMAKANT MISHRA

Vrs.

THE 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

Shri R. D. Dhande, Advocate for applicant.
Shri Nitin Rode, A. P. P. for respondent-State.

CORAM: URMILA JOSHI-PHALKE, J.

DATE : 20/06/2025.

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

2. The applicant is convicted for the offence punishable under Sections 354-D, 341, 509, 354-A of the I.P.C. and under Section 12 r/w Section 11 of the Protection of Children from Sexual Offences Act. The maximum punishment imposed on the present applicant is for the offence punishable under Section 12 of the Protection of Children from Sexual Offences Act and sentenced to suffer rigorous imprisonment for a period of two years and fine of Rs.1,00,000/-, in default to suffer simple imprisonment for six months.

3. The applicant is further convicted for the offence punishable under Section 341 of the IPC and sentenced to suffer simple imprisonment for a period of

one month and fine of Rs.500/-, in default to suffer simple imprisonment for 15 days.

4. Heard learned counsel for the applicant who submitted that the applicant has many arguable points in the present appeal. However, the appeal will take its own time for its final disposal. He further submitted that punishment imposed is for limited period. Considering the same, execution of the sentence be suspended.

5. Learned APP strongly opposed for the same and submitted that the appeal itself is devoid of merits.

6. On hearing both the sides and on perusal of the impugned Judgment from which learned counsel for the applicant has pointed out that he has many arguable points in the present appeal. Moreover, the punishment imposed is for limited period, the appeal will take its own time for its final disposal.

7. In the meantime, if the sentence is executed, the appeal would become infructuous. In view of that, prayer of the applicant deserves to be allowed. Accordingly, I to proceed pass the following order :-

ORDER

i] The application is allowed.

ii] The execution of the sentence passed in Special Case No.31/2019 is hereby suspended, till disposal of the appeal.

iii] The **applicant – Ajitkumar Ramakant Mishra** be released on bail, on executing P. R. Bond of Rs.25,000/- with one solvent surety of the like amount.

8. Criminal Application (APPA) No.512/2025 is disposed of.

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9. Issue notice to the respondents.

10. Learned APP waives notice for respondent-State and seeks time to file reply on this application.

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11. Heard.

12. **Admit.**

13. Call for Record and Proceedings.

14. Appeal be listed for final disposal after the preparation of the paper book.

[URMILA JOSHI-PHALKE, J.]