

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

CRIMINAL APPEAL NO.556/2025

**Gopal @ Gopichand Shriramji Dongre Vs. The State of Maharashtra,
Through Police Station Officer, Police Station Karanja (Ghadge) and
another**

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. U.J. Deshpande, Advocate for Appellant
Mrs. H.N. Prabhu, APP for Respondent-State

CORAM: NIVEDITA P. MEHTA, J.

DATED : 14th NOVEMBER, 2025

CRIMINAL APPEAL NO.556/2025

Heard.

ADMIT.

Call R & P.

The learned Additional Public Prosecutor
waives service of notice for respondent no.1.

Issue notice to the respondent No.2, returnable
on 01.12.2025.

List for final hearing on 01.12.2025.

CRIMINAL APPLICATION (APPA) NO. 941/2025

The applicant has filed the present appeal
before this Court, challenging the judgment and order
dated 16.09.2025 passed in Special Case No.

110/2019 by the learned Special Judge (POCSO), Wardha.

2. The applicant stands convicted for the following offences:

i. Section 354 of the Indian Penal Code (IPC) – sentenced to suffer rigorous imprisonment for 3 months.

ii. Section 354-A of the Indian Penal Code (IPC) – sentenced to suffer rigorous imprisonment for 3 months.

iii. Section 451 of the Indian Penal Code (IPC) – sentenced to suffer rigorous imprisonment for 3 months.

iv. Section 8 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) – sentenced to suffer rigorous imprisonment for 3 years and to pay a fine of Rs. 2,000/-, and in default, to undergo rigorous imprisonment for 2 months.

3. The learned counsel for the applicant submits that the applicant was on bail throughout the trial and did not misuse the liberty granted to him. It is further contended that the sentence imposed by the Trial Court is of short duration and that the present case arises out of a prior dispute between the families of the applicant and the victim. On these grounds, it is urged that the applicant has a strong prima facie case

on merits and fair chances of succeeding in the appeal.

4. Per contra, the learned Additional Government Pleader opposes the application, contending that the applicant may misuse the liberty, and therefore prays for rejection of the prayer for suspension of sentence.

5. Upon considering the rival submissions, the nature of the offence, the sentence imposed, and the fact that the appeal is likely to be heard in the near future, this Court is of the considered view that the applicant has made out a case for suspension of sentence pending appeal.

6. Accordingly, the application is allowed. The substantive sentence imposed by the learned Special Judge (POCSO), Wardha, in Special Case No. 110/2019, vide judgment and order dated 16.09.2025, is hereby suspended, subject to the following terms and conditions:

I. The applicant/appellant shall be released on bail upon furnishing a personal bond of Rs. 10,000/- with one solvent surety in the like amount before the trial Court.

II. The applicant shall report before the concerned trial Court on the first Monday of every calendar month until further orders.

III. The applicant shall furnish his current residential address and mobile number to the

concerned Sessions Court and shall inform the Court forthwith of any change in address or contact number.

The application stands disposed of accordingly.

(NIVEDITA P. MEHTA, J.)

MP Deshpande