2026:BHC-AUG:54487

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4714 OF 2026
IN
CRIMINAL APPEAL NO. 947 OF 2026

Vijay Dada Choure
Age: 25 years, Occu.: Agri.,
R/o. Talganshi, Tq. Jamkhed,
Dist. Ahilyanagar **... Applicant**
[Accused]

Versus

1. The State of Maharashtra
Through Police Station Officer,
Washi Police Station,
Tq. Washi, Dist. Dharashiv.

2. X. Y. Z. **... Respondents**

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Mr. Gajesh J. Kore, Advocate for the Applicant.
Mr. G. O. Wattamwar, APP for the Respondent No.1-State.

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 04.11.2026

ORDER :

. Leave to delete respondent No.2/victim. Amendment to be carried out forthwith.

2. The present application seeks suspension of sentence awarded to the applicant in Special Case (POCSO) No. 03 of 2023 by the learned Special Judge, Boom, District Osmanabad, vide judgment and order dated 19.10.2026, thereby convicting the applicant of the

offence punishable under Section 354 of the Indian Penal Code. The applicant has also prayed for his release on bail.

3. Learned Counsel for the applicant submitted that conviction awarded for offence under Section 354 is of one year imprisonment. That, applicant was on bail during trial. That, fine amount is deposited. Even after conviction, learned trial Court was pleased to suspend the sentence during the appeal period and for such reasons, relief of suspension of sentence and grant of bail is urged for.

4. Learned APP opposed the application on the ground that on full fledged trial conviction has been recorded.

5. After hearing the aforesaid submissions and taking into account the quantum of sentence, the fact that the applicant was on bail during trial and as appeal may not be heard in immediate near future, relief as prayed deserves to be granted. Hence, I proceed to pass the following order:

ORDER

I. Criminal Application stands allowed.

II. The substantive sentence imposed on the applicant – **Vijay Dada Choure** in Special Case (POCSO) No. 03 of 2023 by the learned Special Judge, Bhoom, District Osmanabad, vide judgment and order dated 19.10.2026, stands suspended till the final hearing

and disposal of Criminal Appeal No.947 of 2026.

III. The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with two solvent sureties in the like amount.

IV. The applicant shall not commit any criminal activity.

V. The applicant shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date he tenders bail papers and thereafter, the trial Judge to fix dates for his subsequent appearances.

VI. In case of two consecutive defaults on the part of the applicant to remain present before the trial court, the trial court to inform this court about the same and in that eventuality, the prosecution would be at liberty to file an application for cancellation of bail granted to the applicant.

VII. Bail before the trial court.

[ABHAY S. WAGHWASE, J.]

scm