



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1427 OF 2025

IN

CRIMINAL APPEAL NO. 276 OF 2025

Satish @ Ramkishan Venkati Bhandarwad

...Appellant

Versus

The State of Maharashtra & Anr.

...Respondents

WITH

CRIMINAL APPEAL NO. 276 OF 2025

Mr. Jadhav Hanumant P, Advocate for the Appellant.

Mr. V. K. Kotecha, APP for Respondent – State.

CORAM : RAJNISH R. VYAS, J.

DATE : JANUARY 21, 2026

PER COURT :

1. This is an application for grant of bail and suspension of sentence. The applicant / sole accused was convicted in Special (POCSO) Case No.16 of 2019, by the Additional Sessions Judge and Special Judge, Bhokar dated 15th March 2025, convicting the applicant for commission of offence punishable under Section 354-D of the Indian Penal Code, 1860 (hereinafter referred to as the “IPC” for the sake of brevity), so also Section 12 of the Protection of Children from Sexual Offences Act, 2012 (hereinafter referred to as the “Act of 2012” for the sake of brevity). The applicant was directed to suffer rigorous

imprisonment for one year for commission of offence punishable under Section 354-D and to pay fine of ₹ 500/-. Even default sentence was imposed. So far as commission of offence punishable under Section 12 of the Act of 2012, he was directed to suffer rigorous imprisonment for one year and to deposit fine of ₹ 500/-. Default sentence was also imposed.

2. The learned counsel for the applicant submits that the sentence imposed upon him is of a fixed term and all through out the trial, he was on bail, so also he did not misuse his liberty. He submitted that the evidence of the victim, who was examined as PW-1, her mother and uncle PW-2 and PW-3 is not reliable. He submitted that even the date of birth of the victim is not proved. He has invited my attention to the findings given by the Court, at paragraph No.34 of judgment and has contended that the evidence will have to be tested in the light of the grounds raised in the memo of appeal.

3. Per contra, learned APP, Mr. Kotecha, has contended that the judgment of conviction is based on a proper appreciation of evidence and the same may not be disturbed. The learned counsel for the victim is absent.

4. With the help of the learned counsel for the parties, I have gone through the record of the case.
5. The sentence imposed upon the appellant is of a fixed term and the fine amount is already paid. It is not even the case of the prosecution that the appellant has misused his liberty.
6. The testimony of PW-1, PW-2 and PW-3 will have to be taken into consideration in the light of the grounds raised in the memo of the appeal.
7. Considering the fact that the final hearing of the appeal will take time, the sentence imposed is required to be suspended on the the following terms and conditions.

ORDER

- A) The application for grant of bail and suspension of sentence is allowed.
- B) The sentence imposed by the Additional Sessions Judge and Special Judge, Bhokar in Special Case (POCSO) No.16 of 2019 convicting the appellant for commission of offence punishable under Section 354-D of IPC and Section 12 of the Act of 2012 of one

year, is hereby suspended till decision of appeal.

- C) The applicant be released on bail on the same terms and conditions as were imposed by the Trial Court.

8. The application is disposed of accordingly.

(RAJNISH R. VYAS, J.)