



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1882 OF 2026

IN

CRIMINAL APPEAL NO. 350 OF 2026

Vikas S/o. Chandrakant Dalvi,
Age: 26 years, Occu.: Labour,
R/o.Baradgaon Sudrik,
Taluka Karjat, Dist. Ahilyanagar.

... Applicant
(Orig. Accused)

VERSUS

The State of Maharashtra
Through: The Police Station Officer,
Karjat Police Station,
Taluka Karjat, Dist. Ahilyanagar.

... Respondent

.....

Mr. Yuvraj S. Choudhari, Advocate for Petitioner
Mr. B.v. Virdhe, APP for Respondent-State

.....

CORAM : SIDDHESHWAR S. THOMBRE, J.
[VACATION COURT]

DATE : 18 MAY, 2026

PER COURT :

1. Heard.
2. Issue notice to respondent – State. Learned APP waives service of notice for respondent – State.
3. Instant application is for suspension of sentence and grant of bail on account of conviction recorded by learned Judge, Special Court (POCSO Act) Shrigonda dated 18.04.2026 in Special (POCSO) Case No. 49 of 2025.

2. Learned counsel pointed out that present applicant was held guilty by the learned Judge, Special Court (POCSO Act), Shrigonda vide judgment dated 18.04.2026 passed in Special (POCSO) Case No. 49 of 2025 under Sections 78 Bharatiya Naya Sanhita, 2023 read with Section 12 of the POCSO Act and under Section 79 of Bharatiya Naya Sanhita, 2023 read with Section 8 of the POCSO Act. That, maximum punishment inflicted upon the applicant is of three years only. That, applicant has preferred appeal and the same is of the year 2026. According to him, as appeal against conviction would take long time to be heard, he urged for relief of suspension as well as grant of bail.

3. Opposing the above application, learned APP pointed out that maximum sentence awarded is imprisonment for three years. He submitted that, on full fledged trial guilt has been recorded.

4. Heard. Perused the papers including the judgment under challenge by way of appeal. Apparently, applicant was held guilty under the aforesaid provisions. Said judgment is challenged by way of appeal and the same appears to be numbered as Criminal Appeal No. 350 of 2026. Consequently, appeal being recent, may not be heard early. Applicant was reported to be on bail during trial and he has been granted suspension by the Trial Court. Therefore, in the light of above discussion, relief of suspension of sentence deserves to be granted. Hence, following order is passed.

ORDER

(I) Criminal Application stands allowed.

(II) The substantive sentence imposed on the applicant in Special (POCSO) Case No. 49 of 20259 by the learned Judge, Special Court (POCSO Act), Shrigonda on 18.04.2026, stands suspended till the final hearing and disposal of Criminal Appeal No. 350 of 2026.

(III) The applicant be released on PR. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety each, in the like amount.

(IV) Bail before the trial court.

[SIDDHESHWAR S. THOMBRE]
JUDGE

S P Rane