

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRI-INTERIM APPLICATION NO. 235 OF 2026
IN
CR. APPEAL NO. 89 OF 2026

SHIVAJI SANTU BHENDULKAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

Advocate for Applicant : Ms. Tanvii Tapkire
APP for Respondent-State : Mr. A. S. Shalgaonkar

CORAM : SACHIN S. DESHMUKH, J.
Date : 15th April, 2026

PER COURT :-

1. Heard learned counsel for respective sides.
2. By this application, the applicant seeks the suspension of the sentence imposed by the learned Special (POCSO) Judge, Gadhinglaj in Special (POCSO) Case No. 33 of 2024 for the offences punishable under Sections 75 of the Bharatiya Nyaya Sahnita, 2023 alongwith Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.
3. Learned counsel for the applicant submits that fine amount is deposited by the applicant. The applicant was on bail

during the course of trial and has not misused the liberty. Hence, requested to allow the application.

4. It is contention of learned APP that prosecution has proved the case beyond the reasonable doubt. The Trial Court has rendered a well reasoned order and no interference is required in it. Hence, requested to reject the application.

5. I have heard both learned counsel, perused impugned Judgment and Order. The applicant is on bail during the course of trial and has not misused the liberty. The sentence imposed upon the applicant is a short term sentence and this Court would not be in a position to take up the matter for final hearing immediately. Hence, following order.

ORDER

I. The application is **allowed**.

II. The substantive sentence of imprisonment awarded to the applicant by the learned Special (POCSO) Judge, Gadhinglaj in Special (POCSO) Case No. 33 of 2024 is hereby suspended.

III. The applicant be enlarged on bail on furnishing PR Bond in the sum of Rs. 25,000/- (Rs. Twenty Five Thousand Only) and one

solvent surety in the like amount.

IV. Applicant shall mark his presence before the the learned Special Judge, Gadhinglaj once in three months on the date assigned by the concerned Court.

The application is disposed of accordingly.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi