

Rohit Ghuge

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2778 OF 2024**

in

CRIMINAL APPEAL NO. 746 OF 2024

Mohamad Irfan Rais Khan

... Applicant

Versus

The State of Maharashtra & Anr.

... Respondent

Mr. Prashant C. Mohite, Advocate for the Applicant.

Smt. Veera Shinde, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th FEBRUARY, 2026.

P.C. :

1. By this Application, the applicant is seeking suspension of sentence and bail during the pendency of appeal..

2. It is contention of learned counsel for the applicant that the applicant has been convicted under Section 8 of the Protection of Children from Sexual Offences Act, 2012, and sentenced to suffer three years rigorous imprisonment and pay fine of Rs. 3000/- (Rupees Three Thousand Only) and in default to suffer simple imprisonment for 10 (Ten) days. Learned counsel for the applicant submits that the Trial Court has granted bail to the applicant and suspended his sentence during the appeal period. During the trial, the applicant was on bail and he has not misused the

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liberty. The applicant has deposited the fine amount, hence requested to allow the application.

3. Learned APP strongly objected to allow the application .

4. I have heard both learned counsel, perused impugned judgment and order.

5. The sentence imposed on the applicant is a short term sentence. The Trial Court has granted bail to the applicant and suspended his sentence during the appeal period. During the trial, the applicant was on bail. He has not misused the liberty. It may take time to dispose of the Appeal.

6. In view of above, the applicants sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of the appeal on the following terms and conditions :

ORDER

- i. The applicant be enlarged on bail on furnishing P. R. Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- ii. The bail bond to be furnished before the Trial Court.

The interim application stands disposed of in above terms.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)