

Rohit Ghuge

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 4855 OF 2024
IN
CRIMINAL APPEAL NO. 1252 OF 2024**

Navnath Kanhu Dukle

... Applicant

Versus

The State of Maharashtra & Anr.

... Respondent

Mr. Afsar Ansari i/b Mr. Aamir Shaikh for the Appellant.

Mr. P. P. Jadhav, APP for State.

Ms. Nazneen Khatri , Appointed Advocate for Respondent No.2.

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 submit that the applicant has been convicted under Section 235(2) of Cr.P.C. for the offence punishable under Section 354 of the Indian Penal Code and Sections 7 and 8 of the Protection of Children From Sexual Offences Act, 2012, and sentenced to suffer three years rigorous imprisonment and pay fine of Rs. 2000/- (Rupees Two Thousand Only) and in default, to suffer simple imprisonment for one month. Learned counsel for the

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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 liberty granted to him. 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 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 granted to him. It may take time to dispose of the Appeal.

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

O R D E R

- 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.

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

(SHIVKUMAR DIGE, J.)