

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3345 OF 2025
IN
CRIMINAL APPEAL NO. 974 OF 2025

Vijay Dagadu Kusalkar

Versus

The State of Maharashtra and anr.

Mr. Tanmay Kate i/b. Mr. Kiran Ubhe, Mr. Akash Chikate, Mr. V. V. Dushing, Advocate for Applicant.

Ms. Ranjana D. Humane, APP for Respondent No.1-State.

Mr. Tanmay T. Jadhav i/b. Nikhilesh D. Pote, Advocate for Respondent No.2

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th FEBRUARY, 2026.

P.C. :

1. By this application, the applicant is seeking suspension of sentence and bail during the pendency of appeal filed by the Applicant.

2. The applicant has been convicted for the offence punishable under Section 12 of the Protection of Children from the Sexual Offences Act, 2012 and is sentenced to suffer rigorous imprisonment for nine months with fine of Rs.20,000/-, in default of payment of fine, to suffer simple imprisonment for one month.

3. It is the contention of learned counsel for the applicant that the Trial Court has granted bail to the applicant and suspended his sentence

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during the appeal period. During the trial, the applicant was on bail and he has not misused the liberty. Hence, requested to allow the application.

4. Learned APP for respondent No1-State along with learned counsel for respondent No.2 strongly objected to allow the application.

5. I have heard all learned counsel. The sentence imposed on the applicant is 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 and he has not misused the liberty. 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.

ORDER

- i. The applicant be enlarged on bail on furnishing
P. R. Bond in the sum of Rs.25,000/- with one or two
sureties in the like amount.
7. The interim application is allowed in the aforesaid terms and disposed of.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)