

N.S.Kamble

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.3715 OF 2025
IN
CRIMINAL APPEAL NO.1010 OF 2025

Vishal Pandurang Shirke

... Applicant

Versus

The State Of Maharashtra And Anr

... Respondent

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Mr.Kuldeep Patil i/b Mr.S.S. Gardade, for the Applicant.

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

Mr.Khamgal R.B., PSI, Talegaon Dabhade Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th JANUARY, 2026

P.C.:

- . This is an application for suspension of sentence and for bail.
2. Heard learned counsel for the Applicant and the learned Additional Public Prosecutor.
3. The Applicant has been convicted for the offence punishable

N.S.Kamble

under Section 354 of the Indian Penal Code ('IPC' for short) and Sections 7 and 8 of the Protection of Children From Sexual Offences Act 2012. ('POCSO' for short). The maximum sentence imposed on the Applicant is 3 years. The learned Additional Sessions Court has suspended the sentence during the appeal period and has granted interim bail to the Applicant.

4. During the trial the Applicant was on bail. The Applicant has deposited the fine amount. It may take time to dispose of the Appeal. Hence, requested to allow the Application.

5. The learned APP and learned counsel for Respondent No.2 strongly objected to allow the Application on the ground that if the Applicant released on bail, he may abscond. Hence, requested to reject the Application.

6. Considering the submission of both learned counsel as well as sentence imposed on the Applicant is short term sentence. During trial Applicant was on bail. He has not misused the liberty. Considering these facts, the sentence is suspended till final disposal of the Appeal.

N.S.Kamble

7. The Application is disposed of in the following terms.

ORDER

(i) The substantive sentence of imprisonment awarded to the applicant is hereby suspended pending disposal of the appeal, subject to the applicant furnishing a PR bond in the sum of Rs.15,000/- with one or two sureties in the like amount.

(ii) The bail bonds to be furnished before the learned Additional Sessions Judge.

(iii) The Criminal Application is disposed of.

(SHIVKUMAR DIGE, J.)