

Rohit Ghuge

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

INTERIM APPLICATION NO. 4067 OF 2025

IN

APPEAL/1072/2025

Pratapmal Hansraj Kothari

... Applicant

Versus

The State Of Maharashtra And Ors

... Respondents

Mr. Harshad Sathe i/b S. D. Butala, Advocate for the Applicant.

Ms. Kanchan Pawar, Advocate for Respondent No. 2.

Mr. Sumit Patil, Advocate for Respondent No. 3.

Mr. S. M. Mangavkar, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 05th MARCH 2026

P.C. :

. This is an application for suspension of sentence and bail.

2. The applicant has been convicted in offences punishable under Section 354 of the Indian Penal Code, 1860 and under Section 7 punishable under Section 8 of the Protection of Children from Sexual Offences Act, 2012. For the offences under Section 354 of Indian Penal Code, 1860, the applicant is sentenced to suffer rigorous imprisonment for 3 years and shall pay fine of Rs.5,000/- (in words, Rupees Five Thousand only) and in default of payment of fine, shall undergo rigorous imprisonment of 6 months. For the offence under Section 7 read with 8 of the Protection of Children from Sexual Offences Act, 2012 the applicant is sentenced to suffer rigorous imprisonment for 3 years and shall pay fine of Rs.5,000/- (In words, Rupees Five Thousand only) and in default of payment of fine, shall undergo rigorous imprisonment of six months. Both the sentences to run concurrently.

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3. It is the contention of learned counsel for the applicant that the trial Court has granted bail and suspended his sentence during the appeal period. During the trial, the applicant was on bail. Hence, requested to allow the application.
4. The learned APP for respondent-State strongly objected to allow the application.
5. I have heard both learned counsel.
6. The maximum sentence imposed on the applicant is of three years. 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.
7. 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 PR bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
 - (ii) The bail bonds to be furnished before the learned Special Judge/Sessions Judge.
 - (iii) The Criminal Application is disposed of.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)