

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4808 OF 2025
IN
CRIMINAL APPEAL NO. 1294 OF 2025**

Brijesh Dinesh Patel ... Applicant

Versus

The State of Maharashtra & Anr. ... Respondents

Adv. Murtaza Jajmi a/w. Mr. Afsar Ansari and Nancy K., i/b. Shambhu Jha, Advocates for the Applicant.

Smt. K.T.Hiwrale, APP for the Respondent-State.

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

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CORAM : SHIVKUMAR DIGE, J.

DATE : 17th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking suspension of sentence.

2. It is contention of learned counsel for the applicant that applicant has been convicted under Section 258(2) of Cr.P.C. for the offence punishable under Sections 354-A and 354-D of Indian Penal Code, 1860 (for short "IPC") and Sections 7,8,11,12 of Protection of Children from Sexual Offences Act, 2012 (for short "POCSO Act") and sentenced to suffer rigorous imprisonment for three years and pay a fine of Rs.5,000/- and in default to suffer simple imprisonment for one month. The applicant has paid the fine amount.

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3. Learned counsel for the applicant submits that applicant was on bail and he has not misused the liberty. Hence, requested to allow the application.

4. Learned APP strongly objected to allow the application on the ground that if applicant's sentence is suspended, he may abscond, hence requested to reject the application.

5. I have heard both learned counsel. Perused impugned Judgment and order. The sentence imposed on the applicant is a short term sentence. During trial, 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 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.
 - ii. The bail bond to be furnished before the Trial Court.
7. Interim application stands disposed of.
8. All concerned to act on an authenticated copy of this order.

(SHIVKUMAR DIGE, J.)