

Rohit Ghuge

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 167 of 2026
in
CRIMINAL APPEAL NO. 69 of 2026**

Vijay Bhagchand Bafna ...Applicant

versus

The State of Maharashtra and anr. ...Respondents

Mr. Hitesh P. Shah, Advocate for Applicant.

Mr. S. R. Agarkar, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th MARCH, 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 offences punishable under Sections 354 and 427 of the the Indian Penal Code 1860 (for short “IPC”) and Section 8 of Protection of Children from Sexual Offences Act, 2012 (for short “POCSO”). For the offence punishable under Section 8 of the POCSO, the applicant is sentenced to undergo imprisonment for three years and to pay fine of Rs.500/-, in default of payment of fine, to undergo simple imprisonment for 15 days. For the offence punishable under Section 427 of the IPC, the applicant is sentenced to pay fine of Rs.1,000/-, in default of payment of fine, to undergo simple imprisonment for 30 days.

3. It is the contention of learned counsel for the applicant that the trial Court has granted bail and suspended the sentence imposed on applicant during the appeal period. During the trial, the applicant was on

Rohit Ghuge

bail and he has not misused the liberty. 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.

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.
Interim Application stands disposed of.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)