

N.S.Kamble

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

**INTERIM APPLICATION NO.1421 OF 2026
IN
CRIMINAL APPEAL NO.392 OF 2026**

Faisal Alias Fauju Farid Ansari

...Applicant

VERSUS

The State Of Maharashtra And Anr

...Respondents

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Mr.Arvind D. Aswani, for the Applicant.(Through V.C.)

Mr.Aashish Satpute, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 28th APRIL 2026**P.C. :**

1. 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 under Section 354-A of the Indian Penal Code ('IPC' for short) and Section 12 of the Protection of Children From Sexual Offences Act 2012. ('POCSO' for short). In light of Section 42 of POCSO Act, the maximum sentence imposed on the Applicant is rigorous imprisonment for three years with fine of Rs.10,000/- in respect of commission of offense punishable under Section 12 of the POCSO. Out of the fine amount compensation of Rs.7000/- be paid to victim after appeal period is over. In default of payment of fine Applicant shall undergo rigorous

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imprisonment for six months. The learned Special 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 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.

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.)