

Court No. - 80

Case :- CRIMINAL APPEAL No. - 6986 of 2025

Appellant :- Mukesh Kumar Alias Babu

Respondent :- State Of U.P. And 3 Others

Counsel for Appellant :- Digvijay Tiwari

Counsel for Respondent :- G.A.

Hon'ble Harvir Singh,J.

Order on:- Criminal Misc. Suspension of Sentence/Bail Application No. 01 of 2025

1. Heard learned counsel for the appellant, learned A.G.A. for the State and perused the record.

2. The instant appeal has been preferred by the appellant against the judgment and order dated 12.06.2025 passed by learned Special Judge POCSO Act/Additional District and Session Judge, Aligarh in Session Case No. 1795 of 2021 (State of U.P. Vs. Mukesh Kumar @ Babu), arising out of Case Crime No. 388 of 2021, under Sections 354, 452, 506 of IPC and Section 7/8 POCSO Act, Police Station Gandhipark, District Aligarh, wherein the appellant has been convicted in Section 354 I.P.C. and sentenced two years simple imprisonment and imposed the fine of Rs. 10,000/- and in default of fine imposed by Trial Court appellant will be punished for three months additional simple imprisonment. The appellant has also been convicted in Section 452 I.P.C. and sentenced three years simple imprisonment and imposed the fine of Rs. 5,000/- and in default of fine imposed by Trial Court appellant will be punished for two months additional simple imprisonment. The appellant has also been convicted in Section 506 I.P.C. and sentenced one year simple imprisonment and imposed the fine of Rs. 5,000/- and in default of fine imposed by Trial Court appellant will be punished for two months additional simple imprisonment. The appellant has also been convicted in Section 7/8 of POCSO Act and sentenced three years rigorous imprisonment and imposed the fine of Rs. 20,000/- and in default of fine imposed by Trial Court the appellant will be punished for six months additional simple imprisonment.

3. A perusal of the judgment passed by learned Session Judge shows that, while awarding the sentence, released the appellant on interim bail vide order dated 12.06.2025 with personal bond of Rs. 1 lac and two sureties with the like amount.

4. Under the facts and circumstances of the case, the said interim bail order is confirmed on the same personal bond of Rs. 1 lac and two sureties which has submitted before the learned trial court.

5. Subject to appellant's depositing 50% of the fine imposed, realization of remaining 50% shall remain stayed during pendency of the appeal.

Order on Appeal

6. Admit.

7. Summon the trial court record.

8. Issue notice to opposite party no.2/informant returnable within four weeks.

9. Learned AGA for the State prays for and is granted four weeks' time to file counter affidavit/objections.

10. List this appeal on 28.10.2025.

Order Date :- 8.8.2025

Vikram