

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 217 OF 2015

IN

CRIMINAL APPEAL NO. 47 OF 2015

SHRI DEVILAL KURMI, PRESENTLY
UNDERGOING SENTENCE IN JUDICIAL
CUSTODY, CENTRAL JAIL, COLVALE.

... Applicant

Versus

STATE, THROUGH PP.,

... Respondent

Mr. Sidhesh Shet, Advocate for the applicant.

Mr. M. Amonkar, Additional Public Prosecutor for the respondent.

Coram:- K. L. WADANE, J.

Date:- 11th September, 2015

P.C.

Heard Mr. S. Shet, learned counsel appearing for the applicant and Mr. M. Amonkar, learned Addl. Public Prosecutor appearing for the respondent.

2. This is an application filed by the applicant for suspension of sentence imposed upon him by the President of the Children's Court for the State of Goa, Panaji and to release him on bail. The learned President has convicted the applicant for the offence under Sections 2(y)(i) and 2(y)(ii), punishable under Section 8(2) of the Goa Children's Act, 2003 and sentenced to undergo rigorous imprisonment of 10 years and to pay fine of Rs.3,00,000/-.

3. For the reasons recorded in the application and considering the fact that the applicant was on bail during the course of the trial till the date of pronouncement of judgment i.e. on 23.07.2015 on which date the applicant was taken into custody, the substantive sentence imposed upon the applicant is suspended subject to the condition that the applicant should deposit half of the fine amount before this Court within a period of eight weeks.

4. In the meanwhile, the applicant be released on P.R. bond of Rs.25,000/- with one local surety in the like amount to the satisfaction of the Registrar (Judicial) of this Court.

5. The applicant is directed to deposit the above said amount within a period of eight weeks. In case the applicant has failed to deposit such amount within the said period then the bail granted to the applicant shall stand cancelled.

6. The application stands disposed of accordingly.

K. L. WADANE, J.

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