

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 262 OF 2015
IN
CRIMINAL APPEAL NO. 274 OF 2015

Ramesh Sadhu Kumar	...	Applicant
vs.		
The State of Maharashtra	...	Respondents

Ms. Latika Nevrekar i/b. N.R.Mishra, Advocate for the appellant.
Mrs.Veera Shinde, APP, for the respondent-State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 27th February, 2015.

P.C.

This is an application under Section 389 of Cr.P.C. seeking suspension of substantive sentence. The applicant herein is convicted for the offence punishable under Section 12 of the Protection of Children from Sexual Offences Act, 2012 and sentenced to suffer R.I. for one year and fine of Rs.2,000/- in default to suffer further R.I. for 15 days by the Addl. Sessions Judge at Vasai in Special Case No. 7 of 2014 vide judgment and order dated 27.1.2015.

2. The applicant was on bail during the pendency of the trial. The learned counsel for the applicant submits that the applicant has not committed breach of any conditions imposed upon him during the pendency of the trial and,

therefore, he is entitled to extension of the same relief during the pendency of the appeal. The sentence imposed upon the applicant is a short-term sentence.

3. Perused the substantive evidence of the victim girl. The sentence awarded to the applicant appears to be in proportion with the act. The sentence is suspended by the Addl. Sessions Judge at Vasai on 27.1.2015 to enable the applicant to file an appeal. In view of this, the applicant is entitled to the relief of suspension of substantive sentence.

ORDER

(i) The application is allowed. The substantive sentence imposed upon the applicant is hereby suspended. The applicant be enlarged on same bail, fresh bonds.

(ii) The applicant shall furnish fresh bond within a period of four weeks from the date of this order, failing which the order granting bail stands cancelled.

(iii) The applicant shall report to the concerned Sessions Court once in six months on the date specified by the concerned Sessions Court. Upon failure to attend on two consecutive dates, the concerned Sessions Court shall inform the High Court forthwith and take appropriate action.

Application is disposed of in the above terms.

(SMT.SADHANA S.JADHAV, J.)