

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO. 1676 OF 2014
IN
CRIMINAL APPEAL NO. 1011 OF 2014

Yuvraj Chandar Ghulum

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Prashant D. Patil for the Appellant
Ms. Vira Shinde APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.
DATED : JANUARY 20, 2015

PC :

Not on board. Upon production, taken on board.

1) Heard. This is an application under section 389 of Code of Criminal Procedure, 1973. Applicant herein is convicted for offence punishable under section 354-A (1) (2) of Indian Penal Code and is sentenced to suffer rigorous imprisonment for 3 years and fine of Rs. 5,000/- i.d. to suffer further rigorous imprisonment for 3 months. Applicant is also convicted for for offence punishable under section 8 of Protection of Children from Sexual Offences Act, 2012 and is sentenced to suffer rigorous imprisonment for 3 years and fine of Rs. 5,000/- i.d. to suffer further rigorous imprisonment for 3 months.

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He is also convicted for offence punishable under section 342 of Indian Penal Code and is sentenced to suffer rigorous imprisonment for one year and fine of Rs. 1,000/- i.d. to suffer further rigorous imprisonment for one month by Additional Sessions Judge, Nashik in Sessions Case No. 290 of 2013 vide Judgment and Order dated 11/11/2014.

2) Learned counsel for the applicant submits that applicant was on bail during the pendency of trial and has not committed breach of any conditions imposed upon him. It is also submitted that sentence imposed upon him is a short term sentence and appeal is not likely to be finally heard in the near future.

3) Taking into consideration the submissions advanced across the bar and the fact that applicant has been sentenced to a short term sentence, this Court is inclined to grant bail.

ORDER

(i) Application is allowed.

(ii) The substantive sentence imposed upon the applicant is hereby

suspended and he be enlarged on same bail, fresh bonds.

(iii) The applicant shall furnish his fresh bonds within a period of 4 weeks from the date of this order, failing which the order granting bail stands cancelled.

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

Application is allowed and disposed of.

(SMT. SADHANA S. JADHAV, J.)