

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1215 OF 2016 IN
CRIMINAL APPEAL NO. 97 OF 2016

Abdul Aziz S/o Abdul Rahim,
Age 25 years, Occu. : Business,
R/o : Kazi Plot – Bhusawal,
Dist. Jalgaon .. Applicant

Vs.

The State of Maharashtra,
Through P.S.O. Police Station,
Bazar Peth – Bhusawal,
Dist. Jalgaon .. Respondent

Mr. B.R. Kedar, Advocate for the applicant
Mr. A.R. Kale, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.
DATE : 26/02/2016

ORAL ORDER :

Notice.

2. Learned A.P.P. waives notice for the respondent-State.

3. Heard both sides.

4. The applicant, who has been convicted by the learned Additional Sessions Judge, Bhusawal vide judgment and order dated 04/02/2016 passed in Special

Case (POCSO) No. 14 of 2014, for the offences punishable under section 354 of the Indian Penal Code and under section 12 of the Protection of Children from Sexual Offences Act, 2012 (for short "**P.O.C.S.O. Act**") and sentenced to suffer rigorous imprisonment for 1 year and to pay fine of Rs.3000/-, in default to suffer rigorous imprisonment for 1 month for the offence punishable under section 354 of the Indian Penal Code and to suffer rigorous imprisonment for 1 year for the offence punishable under section 12 of the P.O.C.S.O. Act, is praying for suspension of the substantive sentences during the pendency of the appeal and his release on bail.

5. Learned counsel for the applicant submits that fine amount is already deposited.

6. Considering the fact that short term sentences are awarded to the present applicant and fine amount is already deposited, the substantive sentences are hereby suspended. The applicant be released on bail, upon his execution of P.R. bond in the sum of Rs.20,000/- (Rs. Twenty Thousand) and also upon furnishing surety in the like amount in the trial Court.

7. Hamdast granted.
8. Application stands disposed of accordingly.

[M.T. JOSHI]
JUDGE

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