

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 210 OF 2016

IN

CRIMINAL APPEAL NO. 74 OF 2016

SANTOSH BHAGAT.,

... Applicant

Versus

STATE, THR. P.I. BICHOLIM POLICE
STATION, BICHOLIM.,

... Respondent

Shri S.G. Desai, Senior Advocate with Shri Pavithran A.V,
Advocate for the Applicant.

Shri M. Amonkar, Additional Public Prosecutor for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 18th October, 2016

P.C.:

This is an application for suspension of sentence. The applicant has been convicted for the offence punishable under Section 8(2) of the Goa Children's Act read with Section 354 of IPC and Section 506(i) of IPC. For the offence punishable under Section 8(2) of the Goa Children's Act read with Section 354 of IPC, the applicant has been sentenced to suffer rigorous imprisonment for three years and to pay a fine of Rs.1.00 lakh and in default to undergo simple imprisonment for one year. For the offence punishable under Section 506(i) of IPC, the applicant has been sentenced to suffer simple imprisonment for six months. The substantive sentences of imprisonment have been directed to run concurrently. The applicant was all along on bail during the course of the trial before the

Children's Court.

2. It is submitted by Shri Desai, the learned Senior Counsel for the applicant that the applicant has been framed on account of the fact that the applicant had insisted that some students belonging to reserved caste were not entitled to the benefits which they were drawing. The learned Senior Counsel also submitted that the applicant is aged 68 years and is ailing.

3. The learned Additional Public Prosecutor fairly states that as the applicant was on bail, during the course of the trial, appropriate orders may be passed.

4. Having heard the learned Counsel for the parties, the following order is passed:

O R D E R

(i) The substantive sentence of imprisonment is hereby suspended until further orders on condition of the applicant furnishing a PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(ii) The applicant shall deposit the amount of fine before the Children's Court by 20/10/2016.

(iii) The bail bonds to be furnished before the Children's Court.

C. V. BHADANG, J.

NH