

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 51 OF 2016

IN

CRIMINAL APPEAL NO. 24 OF 2016

Kishorkumar Ashokkumar. ... Applicant.
Versus
The State of Maharashtra. ... Respondent.

None for applicant.

Mrs. A.A. Mane, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J
DATE : JANUARY 21, 2016

P.C.:

1 None present. This is an application seeking suspension of substantive sentence imposed upon the applicant. The applicant herein is convicted for the offence punishable under Section 509 of the Indian Penal Code and sentenced to suffer R.I. for one year and fine of Rs. 300/- I.d. S.I. for 15 days. He is also convicted for the offence punishable under Section 354 of the Indian Penal Code and

sentenced to suffer R.I. for one year and to pay fine of Rs. 300/- I.d. S.I. for 15 days. He is also convicted for offence punishable under Section 12 of the Protection of Child from Sexual Offences Act, 2012 and sentenced to suffer R.I. for one year and to pay fine of Rs. 300/- i.d. S.I. for 15 days in Special Case No. 806 of 2013 by the Designated Court under Protection of Children from Sexual Offences Act, 2012, Gr. Bombay vide Judgment and Order dated 20/11/2015. It appears from the averments that the applicant was on bail during the trial. He was enlarged on bail on 28/11/2015 on his signing of fresh P.R. Bond of Rs. 10,000/-. The applicant is sentenced to short term sentence of one year. In view of this, the applicant deserves to be enlarged on bail during the pendency of the appeal. Hence, the following order.

ORDER

- (i) The application is allowed.

(ii) The substantive sentence imposed upon the applicant is hereby suspended. He be enlarged on bail on furnishing P.R. bond in the sum of Rs. 20000/- and one or two sureties in like amount.

(iii) The bail bond be furnished within 3 weeks from today. Upon failure to furnish fresh bail bond within 3 weeks, the learned Designated Court shall issue non-bailable warrant against applicant and take him into custody for serving the rest of the sentence.

(iv) The applicant shall report to the concerned Court once in 3 months on the date specified by the concerned Court, failing which the prosecution is at liberty to move for cancellation of bail.

2 Office to communicate this order to the Designated Court forthwith.

3 The applicant is disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)