

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 261 OF 2016
IN
CRIMINAL APPEAL NO. 155 OF 2016

Mr. Suresh Rathod,	...	Appellant
vs.		
The State of Maharashtra	...	Respondent

Mr.Motilal S. Prasad,Advocate for the appellant.
Ms. A.A.Mane, APP, for the State.

CORAM: SMT. SADHANA S.JADHAV, J.
DATE : 3rd March, 2016.

P.C.

The applicant herein is convicted for the offence punishable under Section 8 of the Protection of Children from Sexual Offences Act, 2012 and is sentenced to suffer R.I. for three years and fine of Rs.2,000/-, in default, S.I. for 15 days by Special Judge under the POSCO Act, Greater Bombay, in Special Case No.218 of 2014 vide judgment and order dated 17.12.2015.

2. The learned counsel for the applicant submits that the applicant was on bail during the pendency of the trial. The sentence imposed upon

the applicant is a short-term sentence. The applicant submits that the appeal is not likely to be heard in the near future and, therefore, seeks suspension of substantive sentence.

3. Taking into consideration the quantum of punishment imposed upon the applicant, this Court is inclined to allow the application. 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. Same bail, fresh bonds.
- (iii) The applicant shall furnish bail bonds before the Special Judge within 3 weeks from today. Upon failure to furnish bail bonds before the Special Judge within 3 weeks, issue non-bailable warrant against the applicant calling upon him to serve the rest of the substantive sentence.
- (iv) The applicant shall report to the Court of Special Judge once in six months on the dates specified by that Court. In case of failure to attend on

any two consecutive dates, the prosecution shall be at liberty to move for cancellation of bail.

Application is allowed and disposed of in the above terms.

(SMT.SADHANA S.JADHAV, J.)