

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 636 OF 2016
IN
CRIMINAL APPEAL NO. 356 OF 2016

Pradeep @ Pappu Bakelal Rastogi Vs. State of Maharashtra & Anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. H.M. Inamdar for applicant.
Ms. Anamika Malhotra, APP for State.

CORAM : A.S. GADKARI, J.
DATE : 11th July 2016.

P.C.:

- 1) Heard the learned counsel for the applicant and the learned APP.
- 2) This is an application for suspension of sentence and releasing the applicant on bail.
- 3) The applicant is convicted under Section 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) and Section 354 and 506 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for 4 years under the provisions of POCSO Act and 2 years of rigorous imprisonment under the provisions of Indian Penal Code respectively and to pay a total fine of Rs.18,000/-by the Judgment and Order dated 27.4.2016 passed by the Designated Judge under the POCSO Act, Greater Mumbai in POCSO Special Case No.617 of 2013. The learned

counsel for the applicant submitted that applicant was on bail during pendency of the trial and there is no report of breach of any conditions imposed upon him.

4) The maximum substantive sentence imposed upon the applicant is 4 years of rigorous imprisonment. Since sentence imposed upon the applicant is a short term sentence and the applicant was on bail during the pendency of trial, I am inclined to release the applicant on bail.

5) Hence, the following Order:

(i) The applicant be released on bail on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) Before his release from jail, the applicant shall deposit the entire fine amount in the Trial Court.

(iii) After his release from jail, the applicant shall attend the Trial Court once in three months on every 1st Monday during 11.00 to 1.00 p.m.

(iv) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)