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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1533 OF 2016
IN
CRIMINAL APPEAL NO.794 OF 2016**

Nitin Digamber Patil	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.S.S.Salunkhe, for the Applicant.

Mr.A.R.Kapadnis, A.P.P for the Respondent-State.

***CORAM : REVATI MOHITE DERE, J.
DATE : 21st DECEMBER, 2016***

P.C. :

1. Heard learned Counsel for the applicant and learned A.P.P.

2. The applicant has been convicted by the learned Special Judge (POCSO), Pune, vide Judgment and Order dated 14th November, 2016, in Spl.(POCSO) Case No.61 of 2015, for the offence punishable under Section 8 of the Protection of Children from Sexual Offences Act, and has been sentenced to suffer R.I for 3 years and to pay a fine of Rs.1,000/-, in default to suffer R.I. for 2 weeks. The applicant was also convicted for the

offence punishable under Section 354-A of the Indian Penal Code. However, no separate sentence was awarded since ingredients of both the offences were same.

3. Learned Counsel for the applicant states that the applicant was on bail, pending trial and that he has not abused or misused the liberty granted to him. He further submits that the applicant is presently lodged in custody.

4. Perused the papers. It is not in dispute that the applicant was on bail pending trial and that he has not abused or misused the liberty granted to him. The sentence awarded is a short term sentence. The Appeal has been admitted by a separate order passed today and the same is not likely to come up for the hearing in the immediate near future.

5. Considering the aforesaid, the application is allowed. The applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of his Appeal, on the following terms and conditions:-

ORDER

- (i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- (ii) The applicant shall attend the trial Court once in 4 months, on the first Monday of the concerned month, between 11:00 a.m. to 12:00 noon commencing from January, 2017, pending the hearing and final disposal of his Appeal;
- (iii) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court and to the concerned Police Station, in writing.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.