

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO. 49 OF 2016

(SANDESH SWAMIDAS TAKALLA...VS..STATE OF MAH., THR. PSO, GHUGGUS, CHANDRAPUR)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : FEBRUARY 15, 2016.

Heard Shri Y.B.Mandpe, advocate for the
 appellant.

ADMIT.

Call R & P.

Shri A.K.Bangadkar, A.P.P. waives notice on
 behalf of the respondent.

CRI.APPLN. (APPA) NO. 85/2016.

Heard.

Considering the undisputed facts on record that
 the victim (Umeshwari) had earlier given birth to a child who
 according to the facts on record is out of the marriage
 between the appellant and Umeshwari and that there is
 dispute about the age of the victim Umeshwari. I am
 convinced that the appellant is entitled for order suspending
 sentence.

The sentence imposed on the appellant by the
 learned Special Judge in Special Criminal Case (POSCO) No.
 51 of 2015 on 16th January, 2016 is suspended till decision of
 the appeal on the same terms and conditions imposed by the
 trial Court while granting bail.

The criminal application is allowed accordingly.

JUDGE