

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [APPA] No. 585 of 2016
IN
Criminal Appeal No. 347 of 2016
[Awadhoot Sopan Ballal Vs. State of Mah.]

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

Court's or Judge's orders

Mr. Shivkumar Diwedi, Adv., holding for Mr. U.J. Deshpande, Adv., for the appellant.
Mr. Kadu, APP for respondent.

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CORAM : P.N. DESHMUKH, J.

DATE : 23rd December, 2016

The applicant-appellant has filed this application for suspension of substantive sentence and for grant of bail.

Heard.

Learned counsel for the applicant-appellant has submitted that the applicant is in custody since the date of his arrest and as such is in jail since one year.

Perused the documents filed with the application. It is noted that the applicant-appellant has been convicted of the offences punishable under Section 354 (b) of Indian Penal Code and Sections 11 and 12 of the

Protection of Children from Sexual Offences Act. For the first offence, he is sentenced to suffer Rigorous Imprisonment for three years and to pay a fine of Rs. 1,000/-, in default, to suffer further Rigorous Imprisonment for two months, and to undergo Rigorous Imprisonment for three years and to pay a fine of Rs. 1,000/-, in default, to suffer further Rigorous Imprisonment for two months for the latter offence.

Considering the sentence which can be termed as a short sentence, application is allowed as per the order below:-

- [a]** The substantive sentence imposed upon the applicant shall stand suspended subject to applicant paying the total fine amount of Rs.2,000-00 [rupees two thousand only].
- [b]** Applicant shall be released on bail on his executing a Personal Bond in the sum of Rs. 20,000-00 [rupees twenty thousand only] with one surety in the like amount.
- [c]** While on bail, and pending this appeal, the applicants shall mark his presence at Akotfile Police Station, Akola, quarterly on the first day of each such month.
- [d]** On the applicant's release on bail, he shall

forthwith submit proof of his address where he is presently residing to the Akotfile Police Station, Akola, and in the event of change in address in future, shall inform the same to the concerned Police Station.

Judge

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