

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

CRIMINAL APPEAL NO.456/2016

Jagdish Gulab Dhote

..Vs..

State of Maharashtra, through Police
Station Officer, Police Station Bhiwapur, Distt. Nagpur (M.S.)

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

Court's or Judge's orders

CORAM : P.N. DESHMUKH, J.

DATED : 27.12.2016.

Heard Mr. M.K. Mishra, learned counsel for
the appellant and Mr. S.A. Ashirgade, learned A.P.P. for
the respondent.

ADMIT.

Call R & P.

CRIMINAL APPLICATION (APPA) NO.806/2016.

Heard.

This application is filed for suspension of
substantive sentence imposed upon the applicant for the
offence punishable under Section 354-A of the Indian
Penal Code contending that the applicant was on bail
pending trial and his sentence was suspended by the
Sessions Court till the the period of appeal.

The applicant is convicted for the offence
punishable under Section 354-A and 323 of the Indian
Penal Code and Section 8 of Protection of Children from

Sexual Offences Act and sentenced to suffer rigorous imprisonment for one year and to pay fine of Rs.500/-, in default to suffer simple imprisonment for two months for the offence punishable under Section 354-A of the Indian Penal Code. The same sentence and fine is imposed upon the applicant for the other offence. As such it is to be noted that the maximum punishment imposed upon the applicant is one year. Considering the same being short sentence and since the applicant was on bail pending trial, the application is **allowed**.

(i) The applicant shall be released on bail on his executing a P.R. bond in the sum of Rs.25,000/- (Rs. Twenty Five Thousand Only) with one surety in the like amount.

(ii) While on bail, the applicant shall mark his presence with police station Bhiwapur, Distt. Nagpur quarterly on first day of each such month pending appeal.

(iii) Hamdast allowed.

JUDGE