

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.415 OF 2017
IN
CRIMINAL APPEAL NO.241 OF 2017**

Dinanath R. Devrukhkar)...Applicant

**V/s.
State Of Maharashtra**)...Respondent

Mr. K.S.Patil, Advocate for the Applicant.

Mr. S.V.Gavand, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 4th April, 2017.

P.C. :

This is an application for suspension of sentence and releasing the applicant-accused on bail during the pendency of the appeal filed by him before this Court.

2 The applicant-accused has been convicted of the offence punishable under Section 354 of IPC and under Section 8 of the Protection of Children from Sexual Offences Act, 2012 (In short 'POCSO Act, 2012') by the learned trial Court. On each count, he has been sentenced to suffer RI for three years apart

from direction to pay fine. Substantive sentences are directed to run concurrently.

3 Heard both sides and perused the impugned judgment and order of conviction.

4 Short sentence of 3 years is imposed on the applicant-accused. Substantive sentence of imprisonment imposed on the applicant-accused is already suspended by the trial Court. The applicant-accused was on bail during the pendency of the trial. It is not reported that he has misused his liberty in any manner while on bail. Considering the pendency of appeals before this Court, the appeal filed by the applicant-accused is not likely to come up for hearing in near future. In this view of the matter, the following order:

(1) The application is allowed.

(2) The applicant is directed to be released on bail on executing PR Bond in the sum of Rs.15,000/- and on furnishing surety in the like amount.

(A. M. BADAR, J.)