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

***CRIMINAL APPLICATION NO.589 OF 2017
IN
CRIMINAL APPEAL NO.518 OF 2017***

Chandrakant Harishchandra Kadam	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.R.V.Gupta, for the Applicant.

Ms.Rutuja Ambekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 16th JUNE, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks suspension of his sentence and enlargement on bail, pending the hearing and final disposal of his appeal.
3. The applicant has been convicted by the learned Special Judge

(P.O.C.S.O. Act), Vasai, vide Judgment and Order dated 16th March, 2016, for the alleged offence punishable under Section 8 of Protection of Children from Sexual Offences Act, to suffer R.I for 3 years and to pay fine of Rs.1,000/- in default to suffer S.I. for 15 days. The applicant has also been convicted for the offence punishable under Section 354(1)(i) of the Indian Penal Code. However, no separate sentence has been awarded for the same.

4. Learned Counsel for the applicant states that the applicant was on bail, pending the trial and that he has not abused or misused the liberty granted to him. He further submitted that the applicant's sentence was suspended after his conviction, however, as the applicant was unable to file an appeal within the stipulated period, he surrendered himself on 4th April, 2017 and has thereafter filed this Appeal.

5. Learned APP does not dispute the aforesaid.

6. Perused the papers. 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. 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.

7. Considering the aforesaid, 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.

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

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

(REVATI MOHITE DERE, J.)