

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.697 OF 2017
IN
CRIMINAL APPEAL NO.425 OF 2017**

Swiden Greshan Golaso ... **Applicant**
V/s.
The State of Maharashtra ... **Respondent**

.....
Mr.Pritam Runwal, Advocate for the Applicant.
Mr.Ameet Palkar, APP for the Respondent/State.
....

CORAM : A.M.BADAR J.

DATED : 4th May 2017.

P.C. :

1 This is an application for suspension of substantive sentence and releasing the applicant/accused on bail during pendency of the appeal filed by him. The applicant/accused is convicted of the offences punishable under Sections 354(A) (D) of the Indian Penal Code as well as Sections 11(iv) 12 of the Protection of Children from Sexual Offences Act, 2012. On each count, he is sentenced to suffer simple imprisonment for one year.

2 Heard the learned Advocate appearing for the applicant as well as the learned Additional Public Prosecutor appearing for the respondent/State. Short sentence of one year

has been imposed on the applicant/accused on each count and substantive sentences imposed on him are directed to run concurrently. The appeal filed by him has already been admitted for final hearing. Considering the pendency of appeals before this Court, there is no likelihood of the appeal of the applicant being heard in near future. The applicant was on bail during pendency of trial and substantive sentence of imprisonment imposed on him has already been suspended by the learned trial Court, therefore, the order.

- (i) The application is allowed.
- (ii) The substantive sentence of imprisonment imposed on the applicant/accused is suspended and he is directed to be released on bail on executing PR Bond of Rs.15,000/- and on furnishing surety in the like amount.
- (iii) As a condition of this order, the applicant/accused should not contact the prosecutrix or prosecution witnesses in any manner and he should not extent threat, promise and inducement to them.
- (iv) The application is disposed of accordingly.

(A.M.BADAR J.)