

Anand

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.791 OF 2017
IN
CRIMINAL APPEAL NO.487 OF 2017
WITH
CRIMINAL APPLICATION NO.792 OF 2017
IN
CRIMINAL APPEAL NO.487 OF 2017

Amrik Kulwant Singh Batti alias Kakka .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.P.L.Rathod i/b. H.H.Nagi & Associates, Advocate, for the
Applicant

Ms Anamika Malhotra, APP, for the Respondent - State

CORAM : REVATI MOHITE DERE, J.

DATE : 13.06.2017

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks suspension of his sentence & enlargement on bail, pending the hearing and final disposal of the aforesaid Appeal.

3. The Applicant has been convicted & sentenced vide Judgment and Order dated 30.03.2017, passed by the learned Additional Sessions Judge, Special Court (under POCSO Act),

2012, Greater Mumbai, as under :-

- For the offence punishable under Section 354 of the Indian Penal Code to suffer R.I. for one year and to pay fine of Rs.3,000, in default to suffer S.I. for further period of one month;
- For the offence punishable under Section 8 of the Protection of Children from Sexual Offences Act, 2012 to suffer R.I. for three years and to pay fine of Rs.3,000/-, in default to suffer S.I. for further period of one month.

Both the sentences are directed to run concurrently.

4. The Appeal has been admitted by a separate order dated 13.06.2017. The sentence imposed is a short term sentence. Considering the fact, that the Appeal is not likely to be heard in the immediate near future and the fact that the Applicant was on bail pending the trial and has not abused or misused the conditions of bail, 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 & conditions:-

O R D E R

- (i) The Applicant be enlarged on bail, on executing PR Bond in the sum of **Rs.15,000/-** with one or two sureties in the like amount.

5. Accordingly, the Application is disposed of on the aforesaid terms.

6. In view of disposal of Cri. Appln. No.791 of 2017, the Cri. Appln. No.792 of 2017 does not survive and the same stands disposed of accordingly.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)