

Anand

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

**CRIMINAL APPLICATION NO.820 OF 2017
(For Bail And Suspension Of Sentence)
IN
CRIMINAL APPEAL NO.543 OF 2017**

Nallareddy Rangappa Chalwadi .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.P.Yadav, Advocate, for the Applicant
Ms A. Malhotra, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 07.07.2017

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. Vide Judgment and Order dated 18.05.2016, passed by the learned Special Judge

& District Judge 01, Pune (Under Protection of Children from Sexual Offences Act, 2012) in Special (Child) Sessions Case No.256 of 2014, the Applicant has been convicted & sentenced as under :-

- For the offence punishable under Section 354A(2) of the Indian Penal, to suffer R.I. for three years and to pay fine of Rs.5,000/-, in default to suffer R.I. for further period of three months;

- 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.5,000/-, in default to suffer R.I. for further period of three months.

Both the sentences are directed to run concurrently.

4. Learned counsel for the Applicant

submits that although, the Applicant's sentence was suspended, he did not file an Appeal in time and hence surrendered on 05.05.2017. He submits that the Applicant was on bail pending trial and has not abused or misused the conditions of bail.

5. The Appeal has been admitted by a separate order passed today. 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.25,000/-** with one or two sureties in the like amount.

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

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)