

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 875 OF 2017

Jayprakash Sadashiv Marde

.....Appellant.

V/s.

The State of Maharashtra

....Respondent

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Mr. Amit Date a/w. Mr. Satishkumar Chettiyar, Advocate for the appellant.

Mrs. P.P. Shinde, APP for the respondent, State.

**CORAM :- SANDEEP K. SHINDE, J.
(VACATION JUDGE)**

DATE : 18TH OCTOBER, 2017.

P.C. :-

1. Admit.

(SANDEEP K. SHINDE, J)

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CRIMINAL APPLICATION NO. 1455 OF 2017
IN

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Mr. Amit Date a/w. Mr. Satishkumar Chettiyar, Advocate for
the applicant.

Mrs. P.P. Shinde, APP for the respondent, State.

**CORAM :- SANDEEP K. SHINDE, J.
(VACATION JUDGE)**

DATE : 18TH OCTOBER, 2017.

P.C. :-

1. This is an application for suspension of sentence during the pendency of the Appeal. The appellant has been convicted by the Additional Sessions Judge, Vasai under Section 8 of the Protection Of Children from Sexual Offences Act, 2012 and sentenced to suffer rigorous imprisonment

for 3 years and fine of Rs.5,000/- vide judgment and order dated 26th September, 2017 in POCSO Special Case No. 51 of 2014.

2. Heard Learned Counsel for the applicant and Learned APP for the State.

3. It appears that the Learned Sessions Judge vide order dated 26th September, 2017 was pleased to suspend the sentence for a period of 30 days. It also appears that the appellant has paid the fine amount.

4. In view of the facts aforesaid, the substantive sentence in the POCSO Special Case No. 51 of 2014 is suspended during the pendency of this Appeal and the applicant is directed to be enlarged on bail on the same terms and conditions as he was on bail during the pendency of trial. The Application is disposed off accordingly.

5. Parties to act on a copy of this order duly authenticated by the Sheristedar of the Court.

(SANDEEP K. SHINDE, J)