

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.1661 OF 2017
IN
CRIMINAL APPEAL NO.1016 OF 2017**

Adinath Hanmant Chavan ... **Appellant**
V/s.
The State of Maharashtra ... **Respondent**

.....

Mr.Paras Yadav, Advocate for the Appellant.

Mr.Y.M.Nakhwa, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 11th DECEMBER 2017.

P.C. :

1 This is an application for suspension of sentence and releasing the applicant/accused on bail during pendency of the appeal filed by him.

2 Heard the learned Advocate appearing for the applicant/accused as well as the learned Additional Public Prosecutor appearing for the respondent/State. Perused the impugned Judgment and Order of conviction. The applicant/accused was convicted for offences punishable under Section 7 read with 8 and under Section 11 read with Section 12

of the Protection of Children from Sexual Offences Act, 2012 (hereinafter referred to as “POCSO Act” for the sake of brevity) by the learned Additional Sessions Judge, Satara and he is sentenced to suffer simple imprisonment for three years apart from directing him to pay fine of Rs.5000/- and in default of payment of fine to further undergo simple imprisonment for three months. The substantive sentence of imprisonment is already suspended by the learned trial Court. Short sentence of imprisonment is imposed on the applicant/accused and there is no likelihood of the appeal being disposed of in near future. 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 his executing P.R.Bond in the sum of Rs.15,000/- and on furnishing surety in the like amount.

(A.M.BADAR J.)