

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPEAL NO.50 OF 2017

Lakhan @ Chanchal Baburao Kadam

..VS..

The State of Maharashtra, through the Station Officer, Police Station Rajapeth,
Taluka and District Amravati

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri P.V. Navlani, Counsel for the appellant.
Shri Nihil Joshi, Addll.P.P. for the State.

CORAM : P.N. DESHMUKH, J.
DATED : MARCH 9, 2017.

Heard.

Issue notice to the respondent.

Learned Additional Public Prosecutor
waives notice on behalf of the respondent.

ADMIT.

Call record and proceedings.

Criminal Application (APPA) No.108 of 2017

Heard.

Issue notice to the non-applicant.

Learned Additional Public Prosecutor
waives notice on behalf of the non-applicant.

This application is for suspension of
substantive sentence imposed upon the applicant and
for bail.

It is contended that applicant was on bail, pending Trial and on conviction his sentence is suspended by the Trial Court and has thus contended that application be allowed as applicant has good case on merits.

Perused judgment and order of the Trial Court. It is found that applicant came to be convicted for the offences punishable under Sections 354(A), 323, and 504 of the Indian Penal Code. On all these counts, he is sentenced to suffer rigorous imprisonment for six months. Applicant is also found convicted for the offence under Section 7 punishable under Section 8 of the Protection of Children from Sexual Offences Act, 2012 and is sentenced to suffer rigorous imprisonment for three years and to pay a fine of Rs.2,000/-, in default, to suffer simple imprisonment for one month.

Considering that applicant was on bail pending Trial and as it is no case of the prosecution that while on bail applicant has misused liberty granted to him earlier and since had made payment of fine amount, application is liable to be allowed as applicant is found convicted for a short sentence. Hence, the following order :

Applicant shall be released on bail on his executing P.R. Bond in the sum of Rs..15,000/- with one surety in the like amount.

While on bail, applicant shall mark his

presence with Rajapeth Police Station, District Amravati quarterly on the first day of each such month, pending appeal.

Application stands disposed of accordingly.

JUDGE

!! BRW !!

C E R T I F I C A T E

I certify that this Order/Judgment uploaded is a true and correct copy of original signed Order.

**Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)**

Uploaded on :- 10/3/2017