

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

CRIMINAL APPLICATION (APPA) NO.149 OF 2017
IN
CRIMINAL APPEAL NO.81 OF 2017

Sachin Sanjay Jawade

..VS..

State of Maharashtra, through Police Station Officer, Police Station
Hinganghat, Tahsil Hinganghat, District Warhda

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

Court's or Judge's Order

Shri N.G. Dhoble, Counsel for the applicant.
Mrs. K.H. Deshpande, Addl.P.P. for the non-applicant/State.

CORAM : P.N. DESHMUKH, J.
DATED : MARCH 24, 2017.

Heard.

Issue notice to the non-applicant.

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

This is an application for suspension of substantive sentence imposed upon applicant and for bail contending that applicant was on bail, pending Trial and it is no case of prosecution that while on bail, he had misused liberty granted in his favour.

Perusal of record reveals that applicant is convicted for the offence punishable under Section 354 of the Indian Penal Code and is sentenced to suffer simple imprisonment for one year and to pay a fine of

Rs.5,000/-, in default, to suffer simple imprisonment for six months. Applicant is further convicted for the offence punishable under Section 8 of the Protection of Children from Sexual Offences Act, 2012 and is sentenced to suffer simple imprisonment for one year and to pay a fine of Rs.5,000/-, in default, to suffer rigorous imprisonment for six months.

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

Substantive sentence imposed upon applicant/appellant is suspended, pending appeal.

Applicant shall be released on bail on his executing a P.R. Bond in the sum of Rs.20,000/- with one surety in the like amount.

While on bail, applicant shall attend Police Station Hinganghat, Tahsil Hinganghat, District Warhda once in three months on the first day of each such month, pending appeal.

Application is 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 :- 30/3/2017