

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

CRIMINAL APPLICATION (APPA) NO.422 OF 2016
IN
CRIMINAL APPEAL NO.230 OF 2016

(Sheikh Taufiq s/o Sheikh Shakir Vs. State of Maharashtra thr. PSO PS Wardha City,
Tah. & Dist. Wardha)

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

Court's or Judge's orders.

Shri R.M. Patwardhan, Advocate for Appellant.
Shri H.R. Dhumale, APP for Respondent/State.

CORAM: ROHIT B. DEO, J.

DATE: 15th SEPTEMBER, 2017.

The conviction is for offence punishable under section 6 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act').

The case of the prosecution, which is accepted by the Special Judge is that the appellant-accused was found in the company of the victim when the family members of the victim launched a search for her. The accused has been identified in the I.D. parade, *inter alia*, by P.W.4, a friend of the father of the victim who found the victim and the accused together. The medical evidence is overwhelmingly suggestive of forcible sexual intercourse.

In view of the nature of the allegations, I am not inclined to suspend the sentence.

The application for suspension of sentence and grant of bail is rejected.

The application is disposed of.

JUDGE

NSN