

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

CRIMINAL APPLICATION NO.584 OF 2017

IN

CRIMINAL APEPAL NO.125 OF 2017

(Pawan Haridas Gautre..vs..State of Maharashtra, through PSO.PS.Sewagram,District-Wardha))

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

Court's or Judge's orders.

Shri S.A.Choudhari, Advocate for applicant.

Smt.M.H.Deshmukh, A.P.P. for State-respondent.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 2, 2017

This is an application for suspension of substantive jail sentence and for grant of bail.

The applicant is convicted by learned Special Judge, under Prevention of Children from Sexual Offences Act, Wardha on 23/1/2017 in Special (Ch) Case No.36/14 by which the applicant is convicted for the offence punishable under Section 8 of the Prevention of Children from Sexual Offences Act, and is directed to suffer R.I. for three years and to pay fine of Rs. 10000/- and in default of payment of fine amount, further to suffer R.I. for six months.

Looking to the quantum of punishment this Court has decided this application without there being record and proceedings.

Looking to the age of the prosecutrix more than 17 years and looking to the fact that applicant has already undergone about 9 months of imprisonment out of total three years and in future it will not be possible for this Court to take

final hearing of the present appeal, the application is allowed.

ORDER

- I) Application is allowed.
- II) The substantive jail sentence imposed by learned Special Judge, under Prevention of Children from Sexual Offences Act, Wardha on 23/1/2017 in Special (Ch) Case No.36/14 shall remain suspended during the course of appeal.
- III) The applicant be released on bail on his executing P.B. of Rs. 5000/- with one solvent surety in the like amount.
- IV) The learned Court below before whom bail bonds will be executed shall ensure that applicant has deposited the entire fine amount.
- V) The applicant shall remain present personally at the time of final hearing of this appeal.
- V) The application is disposed of.

JUDGE