

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

CRIMINAL APPLICATION [APPA] NO.970 OF 2017

IN

CRIMINAL APPEAL NO.565 OF 2017

[Yogendra s/o Janardhan Mohurle .vs. The State of Maharashtra]

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

Court's or Judge's orders

CORAM : KUM. INDIRA JAIN, J.

DATED : NOVEMBER 21, 2017.

Heard Shri Husain, learned counsel for applicant-appellant and Shri R.S. Nayak, learned APP for respondent-State.

This is an application under section 389 of the Code of Criminal Procedure for suspension of substantive sentence of imprisonment awarded by the learned Additional Sessions Judge, Chandrapur vide judgment and order dated 1.11.2017. By the said judgment and order, applicant-accused has been convicted of the offences punishable under sections 354 and 506 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012. The maximum sentence awarded by the trial court is four years.

The learned counsel for applicant submits that accused was on bail during trial and he has deposited the fine amount.

Considering the short term sentence awarded by the trial court, this court finds that following order would meet the ends of justice.

ORDER

(i) The substantive sentence of imprisonment awarded by the trial court is suspended during pendency of appeal on applicant's furnishing Personal Bond in the sum of Rs.15,000/- with one solvent surety in the like amount to the satisfaction of the trial court.

(ii) Criminal Application No.970/2017 is allowed and disposed of.

CRIMINAL APPEAL NO.565 OF 2017

Heard.

Admit.

Call R & P.

Shri R.S. Nayak, learned APP waives service of notice for respondent-State.

JUDGE