

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

CRIMINAL APPLICATION [APPA] NO.1002 OF 2017

IN

CRIMINAL APPEAL NO.583 OF 2017

[Santosh Sitaram Shinde .vs. 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 : DECEMBER 04, 2017.

Heard Shri U.J. Deshpande, learned counsel for applicant-appellant and Shri S.D. Sirpurkar, learned APP for respondent-State.

Applicant is seeking suspension of substantive sentence of imprisonment awarded by the learned Special Judge, Akola vide judgment and order dated 28.4.2017 in Sessions Trial No.86/2014 thereby convicting the applicant of the offences punishable under sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012. Applicant is also convicted of the offences punishable under sections 448 and 354 of the Indian Penal Code. The maximum sentence of imprisonment awarded is three years.

The learned counsel for applicant submits that accused was on bail during trial and after conviction sentence has been suspended by the trial court.

Considering the short term sentence and as applicant was on bail during trial, this court is

inclined to allow the application. Hence, the following order :

ORDER

- i) The execution of substantive sentence of imprisonment 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.1002/2017 is allowed and disposed of.

JUDGE