

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 43 OF 2018

IN

CRIMINAL APPEAL NO. 6 OF 2018

RAKESH KUMAR YADAV.,

... Applicant

Versus

**STATE, THR. OFFICER-IN-CHARGE,
PONDA POLICE STATION, PONDA.,**

... Respondent

Mr. A.D.Bhobe, Advocate for the applicant.
Mr. M.Amonkar, APP for the respondent.

Coram:- PRITHVIRAJ K. CHAVAN, J.

Date:- 13th February 2018

P.C.

The applicant has been convicted and sentenced by the President, Children Court for the offence punishable under Section 354 of IPC directing him to undergo R.I.for one year and fine of Rs.1000/-. He is convicted under Section 8(2)of the Goa Children's Act and is directed to undergo R.I.for one year and the fine of Rs.one lakh, in default to undergo S.I.for six months and lastly he is convicted for the offence punishable under Section 8 of the Protection of Children from Sexual offences Act, 2012 and is directed to undergo R.I. for three years and the fine of Rs.3000/-.

2. The learned counsel appearing for the appellant submits that

the appellant has surrendered after the period of 30 days which was granted to him by the trial Court and is now in custody. The learned counsel seeks suspension of his sentence pending the appeal to which the learned Additional Prosecutor has no objection, subject to deposit the entire fine amount.

3. Since the applicant was on bail before the trial Court and it is not the contention of the learned Public Prosecutor that he had breached any of the conditions of the bail, the execution of sentence shall stand suspended till the decision of the appeal, subject to payment of fine and the appellant on furnishing Personal Recognition Bond in the sum of Rs.20,000/- with one local surety in the like amount. Bail before the Children's Court. The appellant shall remain present during the hearing of the appeal.

4. Application stands disposed of.

PRITHVIRAJ K. CHAVAN, J.

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