

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 66 OF 2018

IN

CRIMINAL APPEAL NO. 11 OF 2018

SHUBHAM DESSAI.,

... Applicant

Versus

**STATE, THR. POLICE INSPECTOR,
MARGAO POLICE STATION, MARGAO AND
ANR.,**

... Respondents

Adv. Pavithran A.V. for the Applicant.

Mr. P. Faldessai, Addl. Public Prosecutor for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 7th March 2018

P.C.:

This is an application for suspension of sentence.

2. The applicant has been convicted for the offence punishable under sections 353 and 504 of I.P.C and section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Special Act, for short). For the offence punishable under section 353 of IPC, he has been sentenced to suffer simple imprisonment for a period of three months and to pay a fine of Rs.2000/- and in default to undergo simple imprisonment for ten days and under section 504 of I.P.C, he is sentenced to pay a fine of Rs.1000/- and in default to undergo

ten days simple imprisonment and lastly for the offence punishable under section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, he has been sentenced to suffer simple imprisonment for a period of six months and to pay a fine of Rs.5000/- and in default to undergo simple imprisonment for a period of thirty days.

3. The criminal appeal challenging the conviction has been admitted. The learned Sessions Judge has suspended the sentence till 8/3/2018. Having heard the learned counsel for the applicant and the learned Additional Public Prosecutor the following order is passed:

Order:

(i) The substantive sentence of imprisonment is hereby suspended pending disposal of the appeal on the condition of the applicant furnishing a personal bond in the sum of Rs.25,000/- with one solvent surety in the like amount and on condition of payment of fine within seven days from today.

(ii) The bail bonds to be furnished before the learned Special Judge.

C. V. BHADANG, J.