

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 166 OF 2018

IN

CRIMINAL APPEAL NO. 102 OF 2018

Ramdas Annappa Mangle.	...	Applicant.
V/s.		
State of Maharashtra.	...	Respondent

.....

Mr. Jayant J. Bardeskar, Advocate for the Applicant.

Mr. V.V. Gangurde, APP for the Respondent/State.

....

CORAM : A.M.BADAR J.

DATED : 7th FEBRUARY 2018.

P.C. :

1. This is an application for suspension of sentence and releasing the applicant/accused on bail during pendency of the appeal filed by him.

2. Heard the learned advocate appearing for the applicant/accused as well as the learned APP appearing for the respondent/State. Perused the impugned Judgment and Order of conviction and resultant sentence as well as the copies of deposition of prosecution witnesses.

3. The applicant/accused is convicted of the offence

punishable under section 8 of The Protection of Children From Sexual Offences Act and he is sentenced to suffer RI for three years apart from direction to pay fine of Rs.5,000/-. The substantive sentence of imprisonment imposed on the applicant/accused has already been suspended by the learned Trial Court. The applicant was on bail during pendency of the trial. There is nothing on record to suggest that he has misused his liberty while on bail. Short sentence of imprisonment is imposed on the applicant/accused. Hence, the order;

ORDER

1. The application is allowed.
2. Substantive sentence of imprisonment imposed on the applicant/accused is suspended and he is directed to be released on executing PR bond of Rs.15,000/- on furnishing surety in the like amount.
3. As a condition of this order, the applicant should not contact the victim child as well as the relatives of the victim child and prosecution witnesses during pendency of the appeal.
4. The application stands disposed of accordingly.

(A.M.BADAR J.)