

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.851 OF 2018

IN

CRIMINAL APPEAL NO.690 OF 2018

Bhausahab Akaram Mohite ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

Mr.Kuldeep V. Nikam, Advocate for the Applicant.

Ms.Anamika Malhotra, APP for the Respondent/State.

....

CORAM : A.M.BADAR J.

DATED : 7th JUNE 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 The applicant/accused is convicted of offences punishable under Section 354-A of the Indian Penal Code and under Section 8 of the Protection of Children from Sexual Offences Act. He is sentenced to suffer rigorous imprisonment for five years apart from imposition of fine of Rs.5,000/-

3 Heard the learned Advocate appearing for the applicant/accused. He argued that short sentence of imprisonment is imposed on the applicant/accused and he was on bail during pendency of the trial. The learned Advocate further argued that if the fine amount is not deposited, the applicant will deposit the same within one month of his release on bail.

4 The learned Additional Public Prosecutor opposed the application.

5 It is seen that during pendency of the trial the applicant was on bail and there is nothing on record to show that he has misused his liberty. Short sentence of imprisonment has been imposed on him. Considering pendency of appeals before this Court, the appeal filed by the present applicant may not be listed for final hearing in near future. In this view of the matter, the following Order :

ORDER

- i) The application is allowed.
- ii) The substantive sentence of imprisonment imposed on the applicant/accused is suspended and he directed to released on bail on his executing P. R. Bond in the sum of Rs.15,000/- and on furnishing surety in the like amount.
- iii) As a condition of this Order, the applicant should not repeat commission of similar offences in future.

(A.M.BADAR J.)