

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.891 OF 2018

IN

CRIMINAL APPEAL NO.726 OF 2018

Indrajit @ Banti @ Rohit

Prakash Khot and ors.

... **Applicants**

V/s.

The State of Maharashtra

... **Respondent**

Mr.Vikas Kolekar for the applicants.

Mr.S.V. Gavand, APP for the respondent /State.

CORAM : A.M.BADAR J.

DATED : 22nd JUNE 2018.

P.C. :

1. The learned Advocate appearing for the applicants seeks permission to amend the prayer clause of the application in order to restrict it to suspension of sentence and releasing the applicants on bail. Leave to amend as prayed is granted. Amendment be effected forthwith.

2. Heard the learned Advocate appearing for the applicants as well as the learned APP appearing for the State.

3. The applicants/accused are convicted of offences punishable under Sections 354, 354A, 354D, 506 read with Section 34 of the Indian Penal Code. Similarly, they are also convicted of offences punishable under Sections 11 and 12 of the Protection of Children from Sexual Offences Act. Different sentences are awarded on different count. The learned Trial Court directed that all the sentences to run concurrently.

4. Maximum sentence of imprisonment imposed on the applicants is that of rigorous imprisonment of one year and six months. The applicants, reported to have deposited entire fine amount before the Trial Court.

5. The applicants were on bail during the pendency of the trial and sentence imposed on them is already suspended by the Trial Court. Hence, as the appeal is not likely to be heard in the near future, the following order;

:: ORDER ::

- (i) The substantive sentence imposed upon the applicants is suspended and they are directed to be released on bail on their executing P.R. Bond in the sum of Rs.15,000/- each and on furnishing surety in the like amount by each of them.

- (ii) As condition of this order, the applicant/accused should not repeat commission of similar offences in future and he should not contact either the victim of the crime in question and the prosecution witnesses in any manner during the pendency of the appeal.
- (iii) The application is disposed of accordingly.

(A.M.BADAR J.)