

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.989 OF 2018

IN

CRIMINAL APPEAL NO.807 OF 2018

KIRTIKUMAR @ KAPIL RAJENDRA KADAM)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA & ANR.)...RESPONDENTS

Mr.Abhaykumar Apte, Advocate for the Applicant.

Mr.S.V.Gavand, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 27th JULY 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. The applicant/accused is convicted for offences punishable under Section 354A(1)(i) of the Indian Penal Code as well as under 12 of the Protection of Children from Sexual Offences Act, 2012. On each count, he is sentenced to

suffer rigorous imprisonment for 2 years apart from imposition of fine and default sentence.

2 Heard both sides.

3 It is seen that short sentence of imprisonment of 2 years has been imposed on the applicant/accused and the same has already been suspended by the learned trial court vide order dated 7th June 2018. It appears that the applicant/accused was on bail during pendency of the trial and he has not misused his liberty. The appeal filed by him is not likely to be heard within the short period of two years. Hence the order :

ORDER

- i) The application is allowed.
- ii) Substantive sentence of imprisonment imposed on the applicant/accused is suspended and the applicant/accused is directed to be released on bail on his executing P.R.Bond in the sum of Rs.15,000/- and on furnishing surety in like amount.

- iii) The applicant/accused should not repeat commission of similar offence in future.
- iv) The application is disposed of.

(A. M. BADAR, J.)