

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.235 OF 2018**

**IN**

**CRIMINAL APPEAL NO.160 OF 2018**

1) AJAY BAPU SHENDGE )  
2) CHETAN MARUTI SATHE )...APPLICANTS

**V/s.**

**THE STATE OF MAHARASHTRA )...RESPONDENT**

Mr.Pravin Dabade i/b. Mr.Vikas Shivarkar, Advocate for the Applicants.

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

**CORAM : A. M. BADAR, J.**

**DATE : 23<sup>rd</sup> FEBRUARY 2018**

**P.C. :**

1 This is an application for suspension of sentence and releasing applicants/accused on bail during pendency of the appeal filed by them. The applicant/accused no.1 is convicted of the offence punishable under Section 354D of the Indian Penal Code and under Section 12 of the Protection of Children from

Sexual Offences Act, whereas the applicant/accused no.2 is convicted of the offence punishable under Section 504 of the Indian Penal Code. The applicant/accused no.1 is sentenced to suffer rigorous imprisonment for 1 year on each count apart from imposition of some fine and default sentence, whereas the applicant/accused no.2 is sentenced to suffer rigorous imprisonment for 6 months apart from imposition of some fine.

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

3            During pendency of the trial, both applicants were on bail and they had not misused their liberty. Short sentence of imprisonment is imposed on both of them and considering the pendency of appeal before this court, the appeal may not be heard within the short time. Hence, the order :

**ORDER**

i)        The application is allowed.

- ii) Substantive sentence of imprisonment imposed on applicants/accused 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 like amount by each of them.
- iii) As a condition of this order, applicants/accused should not repeat commission of similar offence in future and they should not contact the victim child or her relatives in any manner.
- iv) Failure to abide by this condition shall entail the prosecution to apply for cancellation of bail.
- v) The application is disposed of accordingly.

**(A. M. BADAR, J.)**