

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.293 OF 2018
IN
CRIMINAL APPEAL NO.195 OF 2018

Marling T. Sakhare vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Vishal Kolekar i/by Anuradha Joshi for the Applicant.
Mr. A.R.Kapadnis, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.

DATE : 6th March, 2018

P.C.

1. This is an application for suspension of sentence and for releasing the applicant on bail.

2. The applicant has been convicted under Section 354 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for one year and to pay a fine of Rs.500/- in default to suffer further rigorous imprisonment for one month and under Section 8 of the Protection of Children from Sexual Offences Act, 2012 and sentenced to suffer rigorous imprisonment for three years and to pay a fine of Rs.500/- in default to suffer further rigorous imprisonment

for three months by the learned Special Judge, Pune by its Judgment and Order dated 1.1.2018 in Special Case No.271/2014. The Trial Court has directed that both the substantive sentences to run concurrently. The record indicates that by Order passed under Section 389(3) of the Cr.P.C. the Trial Court was pleased to grant bail to the applicant.

3. It is submitted by the learned counsel for the applicant that during the pendency of the trial the applicant was on bail and did not misuse the liberty granted to him. As the maximum sentence imposed upon the applicant is three years of rigorous imprisonment, I am inclined to release the applicant on bail.

4. Hence, the following order.

a) The applicant be released on bail in Special (Child) Sessions Case No.271/2014 arising out of CR No.195/2014 registered with Pimpri Police Station, Pune on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

b) During the pendency of the appeal the applicant shall

mark his presence before the Trial Court on every first Monday of the month between 11.00 a.m. to 2.00 p.m. If the said first Monday is Court holiday/public holiday the applicant shall mark his presence on immediate next day.

c) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)