

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.394 OF 2018
IN
CRIMINAL APPEAL NO.239 OF 2018**

Mr. Kiran Suresh Davare

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Mithun Mahajan for the Applicant.

Ms. R.M. Gadhvi, APP for the Respondent State.

CORAM : A.S.GADKARI, J.

DATE : 19th MARCH, 2018

P.C.:

1. This is an application for suspension of sentence and releasing the applicant on bail.
2. The applicant is convicted under Section 354-D, 506 of Indian Penal Code and under Section 7, 8, 11 r/w.12 of the Protection of Children from Sexual Offences Act, 2012 and sentence to suffer simple imprisonment for one year and to pay a total fine of Rs.27,000/- by the learned Special Judge, Kolhapur in Special Case No.60 of 2015 by its judgment and order

dated 02.01.2018.

3. The record indicates that, the applicant has already deposited the fine amount in the Registry of the Trial Court. As the maximum sentence imposed upon the applicant is one year and there is a remote possibility of appeal being heard on merits in near future, I am inclined to release the applicant on bail.

Hence, the following order.

(a) The applicant be released on bail in Special Case No.60 of 2015 arising out of C.R.No.98 of 2015 registered with M.I.D.C. Police Station, Mumbai 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 attend the concerned police Station on every first Monday of the month between 11.00 a.m. to 1.00 p.m. If the said Monday comes on a holiday or non-Court working day, he shall attend the Court on the immediate working day.

4. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)