

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

CRIMINAL APPLICATION NO.456 OF 2018

IN

CRIMINAL APPEAL NO. 285 OF 2018

Abdul Rehaman Yasin Shaikh

... Applicant.

Vs.

The State of Maharashtra

P.S. Yerwada, Pune

... Respondent

Mr. Lokesh Zade I/by Mr. Praful Soni for the Applicant.

Mr. V.V.Gangurde, APP for State.

CORAM : A.S. GADKARI, J.

DATE : 23rd 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 Sections 354-A(i), 506 of the Indian Penal Code, Section 7 r/w 8 of Protection of Children from Sexual Offences Act, 2012 (herein after referred as “POCSO Act” for brevity) and sentenced to suffer maximum rigorous imprisonment for three years and to pay a fine of Rs.5,000/- by the learned Special Judge (POCSO Act), Pune in Special Case (POCSO Act) No. 58 of 2016 by its Judgment and Order dated 16.02.2018.

3. The learned counsel for the applicant submitted that by order dated 16.02.2018, the trial court has released the applicant on bail under Section 389(3) of the Code of Criminal Procedure, 1973.

4. As the maximum sentence imposed upon the applicant is three years and the possibility of appeal being heard on merits in near future is remote, I am inclined to release the applicant on bail.

Hence, the following order.

(a) The applicant be released on bail in Special Case (POCSO Act) No. 58/2016 arising out of C.R.No.188 of 2015 registered with Yerwada 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 attend the concerned Trial Court on every first Monday of the month between 11.00 a.m. to 2.00 p.m. If the said Monday comes on a holiday or non-Court working day, he shall attend the Court on the immediate next working day.

5. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J)