

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

CRIMINAL APPLICATION NO. 543 OF 2018

IN

CRIMINAL APPEAL NO. 387 OF 2018

Sachin Shivaji Yede

... Applicant.

Vs.

The State of Maharashtra

... Respondent

Mr. R.N. Gite for the Applicant.

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

CORAM : A.S. GADKARI, J.

DATE : 4th APRIL, 2018.

P.C.

1. This is an application for suspension of sentence and for releasing the applicant on bail.
2. The applicant is convicted under Sections 354-D, 323 of the Indian Penal Code and under Section 12 of Protection of Children from Sexual Offences Act and sentenced to suffer maximum rigorous imprisonment of one year and to pay a fine of Rs.500/-, in default of payment of fine, to further undergo sentence of rigorous imprisonment of fifteen days by the learned Special Judge, Pune (Under the Protection of Children from Sexual offences Act) in Special (Child) Session Case No. 131 of 2014 by its Judgment and Order dated 07.03.2018.
3. Learned counsel for the applicant submitted that applicant has already deposited the fine amount in the Registry of the Trial Court .

4. As the maximum sentence imposed upon the applicant is one year of rigorous imprisonment and the possibility of appeal being heard on its own merits in near future is remote, I am inclined to release the applicant on bail.

Hence, the following order.

- i. During the pendency of the present appeal substantive sentence imposed upon the applicant is suspended.
 - ii. During the pendency of the appeal, the applicant be released on bail on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
 - iii. During the pendency of the appeal, the applicant shall attend the Trial Court on 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.
5. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)