

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 563 OF 2018****IN****CRIMINAL APPEAL NO. 403 OF 2018**

Mahadev Basavraj Bande

....Applicant.

Vs.

State of Maharashtra

....Respondent.

Ms. Vrushali L. Maindad for the Applicant.

Mr. V.V. Gangurde, APP for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 16th APRIL, 2018.****P.C.:-**

This is an Application for suspension of sentence and for releasing the Applicant on bail.

2 The Applicant is convicted for an offence punishable under Section 354 of the Indian Penal Code and is sentenced to suffer rigorous imprisonment for one year and pay a fine of Rs.1,000/- (Rupees One Thousand only), in default further undergo simple imprisonment for one month, by the learned Special Judge, Pune (Under POCSO Act) and Additional Sessions Judge, Pune, in Special (Child) Sessions Case No. 318 of 2014, by its Judgment and Order dated 27th February, 2018.

3 The learned counsel for the Applicant submitted that, the Applicant has already deposited a fine amount in the Registry of the Trial Court. She further submitted that, by an Order of even date, the Trial Court has released the Applicant on the bail under Section 389 (3) of Cr. P. C..

4 As the maximum sentence imposed upon the Applicant is one year rigorous imprisonment and the possibility of hearing of Appeal on merits in the near future is remote, I am inclined to release the Applicant on bail. Hence the following order-

- a) During the pendency of the Appeal, the substantive sentence imposed upon the Applicant is suspended and the Appellant is released on bail in Special (Child) Sessions Case No. 318 of 2014, on his furnishing PR bond of Rs.25,000/- (Rupees Twenty Five Thousand only) with one or two solvent local sureties in the like amount.
- b) During the pendency of the Appeal, the Applicant shall attend and 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

a Court holiday/Public holiday, the Applicant shall
mark his presence on the immediate next day.

5 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)