

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.581 OF 2018

IN

CRIMINAL APPEAL NO.418 OF 2018

Chandrashekhar P. Maharana 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. Tapan Thatte for the Applicant.

Mr. A.R.Kapadnis for the Respondent-State.

CORAM : A.S.GADKARI, J.

DATE : 13th April, 2018

P.C.

1. This is an application of suspension of sentence and for releasing the applicant on bail in Special Sessions Case No.444/2016.

2. Heard Shri. Thatte, learned counsel for the applicant and the learned APP for the State.

3. The applicant is convicted under Section 354-D of the Indian Penal Code and under Section 8 and 12 of the Protection of Children from Sexual Offences Act and is sentenced to suffer maximum rigorous imprisonment for

three years and to pay a total fine of Rs.1500/-by the learned Additional Sessions Judge, Pune by its Judgment and Order dated 14.3.2018 in Special Sessions Case No.444/2016.

4. The learned counsel for the applicant submitted that the applicant has already deposited the fine amount in the registry of the trial Court. He further submitted that the applicant has been released on bail under Section 389 (3) of the Cr.P.C. by the trial Court by its Judgment and Order of even date. He further submitted that the applicant was on bail during the pendency of the trial.

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

Hence, the following order.

- a) During the pendency of the appeal the substantive sentence is suspended.
- b) During the pendency of the appeal, the applicant be

released on bail in Special Sessions Case No.444/2016 on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

- c) During the pendency of 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.
- d) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)