

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

**CRIMINAL APPLICATION NO. 588 OF 2018
IN
CRIMINAL APPEAL (STAMP) NO. 403 OF 2018**

WITH

**CRIMINAL APPLICATION NO. 587 OF 2018
IN
CRIMINAL APPEAL (STAMP) NO. 403 OF 2018**

Sanjay Dinanath Chourasiya

....Applicant.

Vs.

State of Maharashtra

....Respondent.

Mr. R.S. Saluja for the Applicant.

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

CORAM : A. S. GADKARI, J.

DATE : 19th APRIL, 2018.

P.C.:-

These are the Applications for suspension of sentence and for releasing the Applicant on bail, respectively.

2 The Applicant is convicted for an offence punishable under Section 12 of the Protection of Children from Sexual Offences Act, 2012 and is sentenced to suffer rigorous imprisonment for six months and pay a fine of Rs.2,000/- (Rupees Two Thousand only), in default

to further undergo simple imprisonment for thirty days, by the learned Special Judge (under P.O.C.S.O. Act), Greater Bombay, in Special Case No. 418 of 2014, by its Judgment and Order dated 1st January, 2018.

3 The learned counsel for the Applicant submitted that, the Applicant has already deposited the fine amount of Rs.2,000/- (Rupees Two Thousand only) in the Registry of the Trial Court. He further submitted that, the Trial Court has released the Applicant on bail under Section 389 (3) of Cr. P. C. by an Order of even date.

4 As the maximum sentence imposed upon the Applicant is six months of 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 Applicant is released on bail in Special Case No. 418 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 Applications are allowed in the aforesaid terms.

(A.S. GADKARI, J.)