

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

**CRIMINAL APPLICATION NO.731 OF 2018
IN
CRIMINAL APPEAL NO.452 OF 2018**

Satyawan Jagannath Hagawane ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

Mr. Rajendrakumar Ramchandra Galange for the applicant.

Ms. V. S. Mhaispurkar, APP for the respondent/State.

CORAM : A.M.BADAR J.

DATED : 6th JUNE 2018.

P.C. :

1. This is an application for suspension and releasing of the applicant / accused on bail during the pendency of appeal filed by him.

2. Heard the learned Advocate appearing for the applicant / accused. He argued that fine of Rs.1,000/- has already been paid by the applicant and considering the short sentence imposed on him by the learned trial Court, the applicant be released on bail. The learned APP opposed the application by contending that the victim child was minor and therefore bail need not be granted to the applicant.

3. I have considered rival submissions and also perused the material made available on record including the impugned judgment and order of conviction and resultant sentence. After holding the applicant/accused guilty of the offences punishable under Section 7 read with Section 8 of the Protection of Children from Sexual Offences Act, 2012, he has sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs.1,000/-.

4. Short sentence of rigorous imprisonment of three years has imposed on the applicant and considering pendency of appeals before this Court, the present appeal filed by the applicant is not likely to be heard in the near future. Hence, the following order;

:: ORDER ::

- (i) The application is allowed.
- (ii) Substantive sentence of imprisonment imposed on the applicant/accused is suspended and he is directed to be released on bail on his executing P.R. Bond in the sum of Rs.15,000/- and on furnishing surety in the like amount.
- (iii) As a condition of this order, the applicant should not contact the victim, the prosecution witnesses or her relatives in any

manner and he should not repeat commission of similar offence in future.

(iv) The application is accordingly disposed of.

(A.M.BADAR J.)