

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 748 OF 2018****IN****CRIMINAL APPEAL NO. 534 OF 2018**

Pradeep Sambhaji Mane

....Applicant.

Vs.

The State of Maharashtra & Anr.

....Respondents.

Mr. Vaibhav Gaikwad for the Applicant.

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

CORAM : A. S. GADKARI, J.**DATE : 4th MAY, 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 Sections 341 and 354D of the Indian Penal Code and under Section 12 of Protection of Children from Sexual Offences Act, 2012 and is sentenced to suffer rigorous imprisonment for two years on each count and to pay a total fine of Rs.1,500/- (Rupees One Thousand Five Hundred only), in default of payment of fine to further undergo simple imprisonment for one month, by the learned Additional

Sessions Judge, Sangli, in Special (POCSO) Case No. 96 of 2015, by its Judgment and Order dated 31st March, 2018. The Trial Court has also directed that the substantive sentences shall run concurrently.

3 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 Cr. P. C. by the Trial Court by its Order of even date.

4 As the maximum sentence imposed upon the Applicant is two years of rigorous imprisonment and the possibility of hearing of Appeal on merits in near future is remote, I am inclined to suspend the sentence and 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 (POCSO) Case No. 96 of 2015, 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.)