

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

CRIMINAL APPLICATION NO. 814 OF 2018

Rohit Sharad Hire	...	Appellant/applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr. Pankaj J. Das for the Appellant/applicant.
Ms. P.P.Shinde, APP for the Respondent/State.

**CORAM : VL.ACHLIYA, J.
(VACATION COURT)**

DATED : MAY 17, 2018.

P.C. :

1. The applicant has moved this application under Section 389 of Cr.P.C. seeking suspension of sentence pending disposal of appeal.
2. Heard the learned Counsel for the applicant and the learned APP for State.
3. Perused the judgment and order passed by the Trial Court. By the Judgment and Order dated 26.04.2018 passed by the Addl. Sessions Judge, Raigad-Alibag, the applicant is held guilty of offence under Section 354A(i)(iv)(3), 354D(1)(i)(2), 506 of The Indian Penal Code and Section 12 of the Protection of Children

from Sexual Offences Act, 2012 and sentenced to suffer Rigorous Imprisonment for six months and to pay fine of Rs.5,000/-.

5. Learned Counsel for the applicant submits that the fine amount of Rs.5,000/- is already deposited. It is contended that looking to the nature of sentence awarded by the Trial Court and time required to hear the appeal, it is desirable to suspend the sentence pending appeal. He, further, submits that the Trial Court has suspended the sentence in order to enable the applicant to prefer appeal.

6. On due consideration of submissions advanced, I am of the view the substantive sentence awarded by the Court deserves to be suspended till disposal of appeal. Hence, the following order.

- : ORDER :-

(i) Pending disposal of appeal, the substantive sentence awarded by the Trial Court stands suspended subject to applicant to bail in the sum of Rs.25,000/- with one or two sureties in the like amount within two weeks from the date of this order

(ii) Bail to be furnished in Trial Court.

(V.L.ACHLIYA, J.)