

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.865 OF 2018

IN

CRIMINAL APPEAL NO.706 OF 2018

Kailas Vishvanath Kanse

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.Karl Rustomkhan i/b. Mr.Rahul Arote for the appellant/applicant.

Ms.Anamika Malhotra, APP for the respondent/State.

CORAM : A.M.BADAR J.

DATED : 19th JUNE 2018.

P.C. :

1. This is an application for suspension of sentence and for releasing applicant/accused on bail during the pendency of appeal filed by him.
2. Heard, the learned Advocate appearing for the applicant/accused as well as the learned APP appearing for the State.
3. Perused the impugned judgment and order of conviction as well as the resultant sentence.

4. The applicant/accused has been convicted of offences punishable under Section 354 of the Indian Penal Code as well as Section 8 of Protection of children from Sexual Offences Act, 2012 and the maximum sentence imposed on him is that of three years.

5. During the pendency of the trial the applicant was on bail and after disposal of the trial, he is released on bail by the learned Trial Court. In this view of the matter, the following order;

:: ORDER ::

- (i) The application is allowed.
- (ii) Substantive sentence 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/- each and on his furnishing one or two surety in the like amount.
- (iii) As condition of this order, the applicant/accused should not repeat commission of similar offences in future and he should not contact either the victim of the crime in question and the prosecution witnesses in any manner during the pendency of the appeal.
- (iv) The application is disposed of accordingly.

(A.M.BADAR J.)