

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1133 OF 2018

IN

CRIMINAL APPEAL NO.889 OF 2018

Santosh Parshuram Labade ... **Applicant**

V/s.

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

.....

Mr.V.V.Purwant, Advocate for the /Applicant.

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

...

CORAM : A.M.BADAR J.

DATED : 26th JULY 2018.

P.C. :

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

2 The applicant/accused is convicted for the offences punishable under Sections 354 and 451 of the Indian Penal Code as well as under Sections 7 read with Section 8 and 11(1) read with Section 12 of the Protection of Children from Sexual Offences

Act. He is sentenced to suffer simple imprisonment for three years apart from direction to pay fine of Rs.5000/- and in default to payment of fine to undergo further simple imprisonment for six months.

3 Heard both sides.

4 Short sentence of imprisonment of three years has been imposed on the applicant/accused and the same has been suspended by the learned trial Court. The appeal filed by him may not be heard within short period of three years and as such, the Order :

ORDER

- (i) The application is allowed.
- (ii) The 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 of Rs.15000/- and on furnishing surety in the like amount.
- (iii) As a condition of this Order, the applicant/accused should not contact the victim child and her relatives in any manner. He should not repeat commission of similar offence in future. Failure to abide by these conditions shall entail the prosecution to apply for rejection of his bail.
- (iv) The application is disposed of accordingly.

(A.M.BADAR J.)

Raju
Dattatraya
Gaikwad

Gaikwad RD

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