

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1248 OF 2018

IN

CRIMINAL APPEAL NO.945 OF 2018

Raju Motiram Chavan ... **Applicant**

V/s.

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

.....

Mr.Pratham S. Shivrane i/b. Mr.Sanjay P. Shinde, Advocate for the Applicant.

Mr.S.V.Gavand, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 8th AUGUST 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 452 of the Indian Penal Code as well as under Sections 8 and 12 of the Protection of Children from Sexual Offences Act. On each count, he is sentenced to

suffer rigorous imprisonment for three years apart from imposition of fine of Rs.500/- as well as default sentence of rigorous imprisonment for three months. All substantive sentences are directed to run concurrently.

3 Heard both sides.

4 It is seen that during pendency of the trial Court, the applicant/accused was on bail. After his conviction he is already released on bail by the learned trial Court by suspending the sentence. Short sentence of imprisonment of three years is imposed on the applicant/accused and the appeal filed by him may not be heard in near future.

5 In this view of the matter, the following 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 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 either the victim girl or her relatives as well as witnesses in any manner.

- (iv) As a condition of this order, the applicant/accused should not repeat commission of similar offence in future.
- (v) Failure to abide by these conditions shall entail the prosecution to get the bail of the applicant cancelled.
- (vi) The application is accordingly disposed of.

(A.M.BADAR J.)

**Raju
Dattatraya
Gaikwad**

Digitally signed by
Raju Dattatraya
Gaikwad

Date: 2018.08.08
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