

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1180 OF 2017

IN

CRIMINAL APPEAL NO.634 OF 2017

Kamrunisabegam Mohsinben Ali ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Amit Munde for the applicant.

Mr.Prashant Jadhav, APP for the State.

CORAM: A.M. BADAR, J.

DATED: 17th JANUARY 2018

PC:-

1. This is an application by original accused No.2 for suspension of sentence and releasing her on bail during the pendency of the appeal filed by her. The applicant is convicted of the offence punishable under Section 363 of the Indian Penal Code and is sentenced to undergo rigorous

imprisonment for one year apart from payment of fine of Rs.2,000/- by the impugned judgment and order by the Learned designated Court under Prevention of Children from Sexual Offences Act 2012.

2. Heard the learned advocate appearing for the applicant as well as the learned APP for the State.

3. It is seen that short sentence of imprisonment of one year is imposed on the applicant, who was on bail during pendency of the trial. She has not misused her liberty. The appeal filed by her will not be heard within a period of one year considering the pendency of the appeal before this Court. The applicant is already on bail by virtue of order passed by the learned trial Court under Section 389 of the Code of Criminal Procedure. Hence, the following order:-

ORDER

(i) The application is allowed.

(ii) The substantive sentence of imprisonment imposed on the applicant/accused is suspended and she is directed to be released on bail on her executing P.R.Bond in the sum of Rs.15,000/- and on furnishing surety in the like amount.

(A.M. BADAR, J)