

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1329 OF 2018

IN

CRIMINAL APPEAL NO.977 OF 2018

Balaji Changdev Kshirsagar ... **Applicant**

V/s.

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

Ms.Priyanka Kumar with Mr.Anilkumar K.P. for the applicant.

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

CORAM : A.M.BADAR J.

DATED : 12th SEPTEMBER, 2018

P.C. :

1. This is an application for suspension of sentence and for releasing the applicant on bail during pendency of appeal filed by him.
2. The applicant / accused is convicted of offence punishable under Section 8 of Protection of Children from Sexual Offences Act, 2012 and he is sentenced to suffer rigorous imprisonment for three years apart from direction to pay fine of Rs.5000/- and in default to undergo rigorous imprisonment for six months.

3. Heard the learned Counsel appearing for the applicant/accused and the learned Additional Public Prosecutor for the respondent/State.

4. Short sentence of imprisonment of three years is imposed on the applicant/accused and the same has been suspended by the learned trial Court in the exercise of power under Section 389(3) of the Criminal Procedure Code. The applicant was on bail during pendency of trial and he has not mis-used his liberty. The appeal filed by the applicant may not be heard within a short period of three years. Therefore the order;

:: ORDER ::

(i) Substantive sentence of imprisonment imposed on the applicant is hereby suspended and he is directed to be released on bail on his executing P. R. Bond in the sum of Rs.15,000/- and on his furnishing surety in the like amount.

(ii) The application is accordingly disposed of.

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(A.M.BADAR J.)