

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1513 OF 2018
IN
CRIMINAL APPEAL NO.1099 OF 2018**

Saket Vasant Haldankar

...Appellant/
Applicant

V/s.

The State of Maharashtra

...Respondent

Mr.P.G. Kathane for the Appellant/Applicant.

Mr.K.V. Saste, APP for the Respondent-State.

CORAM : SMT.BHARATI H. DANGRE, J.

DATE : 05th SEPTEMBER 2018

P.C.:

1. The present application is taken out seeking relief of grant of bail and suspension of sentence. I have heard the learned counsel for the applicant and learned APP.

2. The applicant is convicted for an offence punishable under Section 342, 354(B) of the Indian Penal Code read with Section 8 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POSCO'). By judgment dated 06.07.2018 delivered by the Special Court under the POC SO Act, 2012, he has been sentenced to suffer rigorous imprisonment for 3 years and to pay

fine of Rs.1,000/-. The said judgment is delivered on 06.07.2018.

In the backdrop of the fact, the appeal against conviction is admitted by this Court, the present application for grant of bail and suspension of sentence is taken for consideration. The applicant has made a categorical statement that he was on bail during the pendency of the trial and after the delivery of the judgment the learned Special Judge has released him on bail subject to certain terms and conditions and that he has complied with the all terms and conditions and there is no default committed by him at any point of time.

The learned APP does not deny this factual position. In view of the fact that the appeal is admitted and it would take a considerable time for being heard finally, it would be appropriate to release the applicant on bail and suspend a sentence subject to the same terms and conditions, which the learned Special Court Judge have imposed in the order dated 06.07.2018. Subject to compliance on the same terms and conditions the application is allowed in terms of prayer clause (a).

(SMT.BHARATI H. DANGRE, J.)

Nilam
Santosh
Kamble

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Nilam Santosh
Kamble
Date: 2018.09.07
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