

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPEAL NO.98/2018

Sau. Lata Shriram Sapate

..vs..

State of Mah., thr. PSO Warathi, Tahsil Mohali, District Bhandara

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

Shri P.D. Ganvir, Counsel for the appellant.

Shri N.R. Rode, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : APRIL 17, 2018.

1. Heard learned counsel Shri P.D. Ganvir for the appellant.

2. **ADMIT.**

3. Call record and proceedings along with record of Special Criminal (POCSO) Case No.10/2016 decided by learned Special Judge, Bhandara on 28.9.2017.

4. Learned Additional Public Prosecutor Shri N.R. Rode waives service on behalf of the State.

Criminal Application (APPA) No.152/2018

1. Heard learned counsel Shri P.D. Ganvir for the applicant/appellant and learned Additional Public Prosecutor Shri N.R. Rode for the State. Also, perused the impugned judgment.

2. The applicant/appellant is convicted on 19.1.2018 in

Misc. Criminal Case No.81/2017 by learned Sessions Judge, Bhandara for the offence punishable under Section 344 of the Criminal Procedure Code and is directed to suffer simple imprisonment for 15 days and to pay a fine of Rs.500/- and, in default of payment of the fine amount, to suffer simple imprisonment for 5 days.

3. The applicant/appellant is released on bail by suspending the jail sentence by learned Judge of the Court below in order to file an appeal before this Court. Hence, I pass the following order:

ORDER

- (i) The criminal application is allowed.
- (ii) Substantive jail sentence imposed upon the applicant/appellant on 19.1.2018 in Misc. Criminal Case No.81/2017 by learned Sessions Judge, Bhandara shall remain suspended during the pendency of the appeal.
- (iii) Applicant/appellant Sau. Lata Shriram Sapate, be released on bail on she executing a P.R. Bond in the sum of Rs.2000/- with one solvent surety of the like amount.
- (iv) The applicant/appellant shall remain personally present at the time of final hearing of the criminal appeal.
- (v) With this, the criminal application is allowed and disposed of accordingly.

JUDGE

!! BRW !!