

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

CRIMINAL APPEAL NO.187/2018

Sunil s/o Yashwantsingh Chauhan

..vs..

State of Mah., thr. PSO PS Sakkardara, Nagpur

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

Court's or Judge's Order

.....
Shri O.K. Masurke, Counsel for the appellant.

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

CORAM : V.M. DESHPANDE, J.

DATED : MARCH 21, 2018.

1. Heard learned counsel Shri O.K. Masurke for the
appellant.

2. **ADMIT.**

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

Criminal Application (APPA) No.254/2018

1. This is an application for suspension of substantive jail
sentence and for grant of bail.

2. Heard learned counsel Shri O.K. Masurke for the
applicant/appellant and learned Additional Public Prosecutor Shri N.R.
Rode for the State.

3. The applicant/appellant is convicted for the offence of

Section 11 punishable under Section 12 of the Protection of Children from Sexual Offences Act, 2012 and is directed to suffer simple imprisonment for 3 months and to pay a fine of Rs.5000/- and, in default of payment of the fine amount, to suffer simple imprisonment for 5 days.

4. The application is on affidavit. On the affidavit, it is stated that the applicant/appellant was on bail during the pendency of the Trial and at no point of time he has mis-used the liberty granted to him in his favour. It is also stated that the Trial Court also suspended the substantive jail sentence in order to enable the applicant/appellant to approach before this Court.

5. Since the applicant/appellant was on bail and looking to the term of the sentence, I pass the following order:

ORDER

(a) The criminal application is allowed.

(b) Substantive jail sentence imposed upon the applicant/appellant by learned Additional Sessions Judge-9, Nagpur on 1.3.2018 in Special POCSO Case No.63/2017 shall stand suspended during the pendency of the present criminal appeal.

(c) Applicant/appellant Sunil s/o Yashwantsingh Chauhan, be released on bail on he executing a P.R. Bond in the sum of Rs.10,000/- with one solvent surety

of the like amount

(d) The applicant/appellant shall remain personally present before this Court at the time of final hearing of the criminal appeal.

(e) With this, the criminal application is allowed and disposed of accordingly.

JUDGE

!! BRW !!

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