

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1358 OF 2018

IN

CRIMINAL APPEAL NO.611 OF 2017

MAHESH TUKARAM PAWAR

...APPLICANT

V/s.

THE STATE OF MAHARASHTRA

...RESPONDENT

Ms. Nasreen S.K. Ayubi, Advocate for the Applicant.

Shri. P.H. Gaikwad-Patil, APP for the Respondent/State.

CORAM : A.M.BADAR, J.

DATED : 10th JANUARY 2019

P.C. :

1. This application is registered on the basis of communication sent by the applicant/accused through jail with a prayer to suspend the conviction and to appoint Ms. Nasreen Ayubi, the learned advocate to represent him in the appeal.

2. In pursuant to the prayer made in this application, Ms. Nasreen Ayubi is already appointed to represent the

applicant/accused at the costs of the State. However, the conviction of the applicant/accused for the offence punishable under Section 376(J) of the Indian Penal Code, so also under the relevant section of the Protection of Children From Sexual Offences Act, 2012 cannot be suspended. With this, the appeal itself can be put up for final hearing.

3. The application, is therefore, rejected with a direction to place the appeal for final hearing in the week commencing from **14th January 2019.**

(A.M.BADAR J.)