

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 639 OF 2019
IN
CRIMINAL APPEAL NO. 618 OF 2019**

Suresh Kalappa Halge ... Applicant
vs.
The State of Maharashtra ... Respondent

Mr. Vaibhav R. Gaikwad, Advocate for the applicant.
Mr. N.B. Patil, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 3rd May, 2019**

P.C. :

Upon mentioning, taken on production board.

2. In this Appeal, the Application is moved by the applicant/accused for suspension of sentence and for releasing him on bail. By the judgment and order dated 6th March, 2019 passed by the learned Special Judge, Pune, the applicant/accused is convicted for the offences punishable under sections 354 and 354A of the Indian Penal Code and under section 7 of Protection of Children from Sexual Offence Act, 2012. The applicant is sentenced to suffer maximum punishment for four years and to pay fine and in default, to suffer rigorous imprisonment for four

months.

3. The learned counsel for the applicant submitted that the applicant/accused was on bail throughout the trial, however, after he was convicted, i.e., on 6th March, 2019 by the learned Special Judge, Pune, he is taken in custody. The learned counsel submitted that the accused was detained in jail from 6th July, 2017 to 4th December, 2017 and now also he is in prison since 6th March, 2019. The learned counsel makes statement that the applicant will deposit the fine amount till 30th May, 2019. The learned counsel submitted that the applicant/accused has good case on merits and therefore, prays for suspension of sentence and for bail.

4. Learned Prosecutor is present and submits to the orders of the Court.

5. In view of the submissions of the learned Counsel for the applicant and also as there is no chance that the Appeal will be heard in near future, the Application is allowed on the following terms:

- i) The statement made by the learned counsel for the applicant/accused about payment of fine is accepted;
- ii) The applicant/accused shall be released on bail upon furnishing a P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- (iii) The sentence is suspended, pending the Criminal Appeal;
- iv) The applicant/accused shall not indulge into any criminal activity.

6. Criminal Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)