

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 757 OF 2019
WITH
CRIMINAL APPLICATION NO. 758 OF 2019
IN
CRIMINAL APPEAL NO. 706 OF 2019**

Dhrauv Narayan Jagdev Gupta ... Appellant
VS.
The State of Maharashtra & Anr. ... Respondents

Ms. Tripti Shetty, Advocate for the appellant.
Mr. A.R. 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, these Applications are moved by the applicant/accused for suspension of sentence and for bail. By the judgment and order dated 28th March, 2019 passed by the learned Designated Court under Protection of Children from Sexual Offence Act, 2012 for Greater Bombay, the applicant/accused is convicted for the offences punishable under sections 354 and 354-A of the Indian Penal Code and under section 8 of Protection of Children from Sexual Offences Act, 2012 and is sentenced to suffer rigorous imprisonment for three years and to pay fine of

Rs.5,000/- and in default, to suffer rigorous for two months.

3. The learned counsel for the applicant submitted that the applicant/accused is already released on bail and he has deposited the fine amount. He submitted that the applicant/accused has good case on merits. The learned counsel, 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 Applications are allowed on the following terms:

- i) The applicant/accused shall be released on furnishing the same bail bond and same surety;
- (ii) The sentence is suspended, pending the Criminal Appeal;
- iii) The applicant/accused shall not indulge into any criminal activity;

6. Criminal Applications stands disposed of accordingly.

(MRIDULA BHATKAR, J.)