

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

CRIMINAL APPEAL NO.116/2019

Amol Hiralal Ramteke

..VS..

State of Mah., thr. Police Station Officer, Police Station Frezarpura, Taluka
and District Amravati

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

Court's or Judge's Order

Shri S.B.Gandhe, Counsel for the appellant.
Shri A.M.Joshi, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : FEBRUARY 21, 2019.

Heard learned counsel Shri S.B.Gandhe for the
appellant. **ADMIT.** Learned Additional Public Prosecutor
Shri A.M.Joshi waives service for the respondent/State.

Criminal Application (APPA) No.177/2019

1. This is an application for suspension of substantive jail sentence and for grant of bail.
2. Heard learned counsel Shri S.B.Gandhe for the applicant and learned Additional Public Prosecutor Shri A.M.Joshi for the State.
3. By judgment and order of conviction dated 29.12.2018 passed by learned 3rd Additional Sessions Judge, Amravati in Sessions Trial No.306/2014, the applicant is convicted for offence under Section 8 of the Protection of Children from Sexual Offences Act, 2012 and sentenced to

suffer simple imprisonment for 3 years and to pay a fine of Rs.1000/-.

The applicant is also convicted for offence under Section 341 of the Indian Penal Code and sentenced to suffer simple imprisonment for 1 month and to pay a fine of Rs.500/-.

4. Learned counsel for the applicant submitted that during the course of the Trial, the applicant was on bail. He further submitted that after the conviction, the applicant filed an application vide Exhibit 52 before learned Judge below for suspension of the substantive jail sentence and learned Judge below on 29.12.2018 suspended the substantive jail sentence. He further submitted that the applicant has already deposited the fine amount and photocopy of receipt of the said is placed on record.

5. In view of the aforesaid, I pass following order:

ORDER

(i) The criminal application is allowed.

(ii) The substantive jail sentence imposed upon the applicant by judgment and order of conviction dated 29.12.2018 passed by learned 3rd Additional Sessions Judge, Amravati in Sessions Trial No.306/2014 shall remain suspended during the pendency of the present appeal.

(iii) Applicant-Amol Hiralal Ramteke, be released on bail on he executing a fresh Bond in the sum of Rs.5000/- with one

.....3/-

solvent surety of the like amount before the Court below. The said Bond to be executed within a period of one month from today.

(iv) During the pendency of the present appeal, the applicant shall mark his presence once in a six month at Police Station Frezarpura, District Amravati and shall maintain diary showing his presence at the police station.

(v) At the time of final hearing of the present appeal, the applicant shall remain personally present before this Court.

(vi) With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

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