

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

CRIMINAL APPEAL NO.348/2019

Manohar @ Mannu Maharaj Namdev Sonune

..VS..

State of Mah., thr. PSO PS Pusad (R), Tahsil Pusad, District Yavatmal

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

Court's or Judge's Order

Shri J.B.Gandhi, Counsel for the Appellant.
Shri A.M.Joshi, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : MAY 3, 2019.

Heard learned counsel Shri J.B.Gandhi for the
appellant. **Admit.** Learned Additional Public Prosecutor
Shri A.M.Johsi waives service on behalf of the State.

Criminal Application (APPP) No.480/2019

1. This is an application for suspension of substantive jail sentence and for grant of bail.
2. Heard learned counsel Shri J.B.Gandhi for the applicant and learned Additional Public Prosecutor Shri A.M.Joshi for the State.
3. By judgment and order of conviction dated 5.4.2019 passed by learned Additional Sessions Judge, Pusad, District Yavatmal in Special Case (POCSO) No.12/2013, the applicant is convicted for offence under Section 354 of the Indian Penal Code and directed to suffer rigorous imprisonment for 1 year. He is also convicted for

offence under Section 8 of the Protection of Children from Sexual Offences Act, 2012 and directed to suffer rigorous imprisonment for 3 years and payment of fine amount.

4. Learned counsel for the applicant has invited my attention to application for grant of bail filed by the applicant after the conviction, till filing of the appeal. On 5.4.2019, learned Additional Sessions Judge suspended the substantive jail sentence.

5. In view of the above, 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 5.4.2019 passed by learned Additional Sessions Judge, Pusad, District Yavatmal in Special Case (POCSO) No.12/2013 shall remain suspended pending the present appeal.

(iii) The applicant to execute fresh bonds of the same amount before the Court below within a period of one month from today.

(iv) The applicant is directed to mark his presence with Police Station Pusad (R), Tahsil Pusad, District Yavatmal once in six months and shall maintain diary showing his presence at the said police station.

(v) At the time of final hearing of the present criminal

appeal, the applicant to remain personally present.

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

JUDGE

!! BRW !!

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