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

***CRIMINAL INTERIM APPLICATION NO.1 OF 2020
IN
CRIMINAL APPEAL NO.375 OF 2020***

Chidanand Amogsidha Chabukswar ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Sagar Tambe i/b Mr. Ritesh M. Thobde, for the Applicant.

Mr. A. R. Patil, A.P.P. for the Respondent – State.

CORAM : REVATI MOHITE DERE, J.

DATE : 26th JUNE, 2020

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks suspension of his sentence and enlargement on bail, pending the hearing and final disposal of his appeal.
3. Perused the papers. The applicant has been convicted by the learned Additional Sessions Judge, Solapur, in Sessions Case No. 291 of 2016, vide Judgment and Order dated 25th February, 2020, for the

offence punishable under Section 12 of Protection of Children from Sexual Offences Act and under Section 323 of the Indian Penal Code. The sentence imposed under Section 12 of Protection of Children from Sexual Offences Act is 3 months and under Section 323 of the Indian Penal Code is 1 month, in addition to fine. The maximum sentence is 3 months. It is not in dispute that the applicant was on bail pending trial and that he has not abused or misused the liberty granted to him. The sentence awarded is a short term sentence. The Appeal has been admitted by a separate order passed today and the same is not likely to come up for the hearing in the immediate near future.

4. Considering the aforesaid, the application is allowed and the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of his Appeal, on the following terms and conditions :

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- ii) The Applicant shall report to the trial Court, once in three months on the day/date specified by the trial Court, till his Appeal is

finally disposed of;

iii) The Applicant shall keep the trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time;

iv) If there are two consecutive defaults in appearing before the trial Court, the learned Judge shall make a report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of bail.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

6. All concerned to act on the copy of this order, digitally signed by the Private Secretary of this Court.

REVATI MOHITE DERE, J.