

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

**CRIMINAL APPLICATION NO.1107 OF 2019  
IN  
CRIMINAL APPEAL NO.779 OF 2019**

**Nilam  
Kamble** Digitally signed  
by Nilam Kamble  
Date: 2020.09.07  
18:54:15 +0530

Ganesh Ramchandra Iyer ..Applicant  
V/s.  
The State of Maharashtra ..Respondents

-----  
Mr.Niranjan S. Mundargi i/b Ms.Keral Mehta for the Applicant.

Ms.S.V. Sonawane, APP for the Respondent-State.

-----  
**CORAM : C.V. BHADANG, J.**

**DATE : 25<sup>th</sup> AUGUST 2020**

**P.C.**

1. This is an application for suspension of sentence.

2. The applicant has been convicted for the offence punishable under Section 376 and 506 of the Indian Penal Code. For the offence under Section 376 of the Indian Penal Code the applicant is sentenced to undergo rigorous imprisonment for 7 years and to pay a fine of Rs.1 lakh and in default undergo rigorous imprisonment for one year. For the offence under Section 506 of the Indian Penal Code, the applicant has been sentenced to undergo rigorous imprisonment, for one year and to pay a fine of Rs.1,000/-

and in default to suffer rigorous imprisonment for one month. The applicant was on bail during the course of the trial.

3. The allegation is that the applicant had forcible sexual intercourse with the victim who was aged 46 years and working a maid servant at the house of the applicant.

4. Having heard the learned counsel for the parties and perused the evidence the following order is passed:-

**ORDER**

(i) The substantive sentence of imprisonment awarded to the applicant is hereby suspended during the pendency of the appeal, subject to the applicant furnishing a PR. Bond, in the sum of Rs.25,000/-with one or two solvent sureties, in the like amount, out of which at least one surety shall be a local surety and on payment of fine, if not already paid.

(ii) For the present, the applicant is permitted to deposit cash surety of Rs.25,000/- before the concerned

Sessions Judge for a period of eight weeks, after which the applicants shall furnish P.R./S.B. bonds as above.

(iii) The applicant shall furnish his residential address in Mumbai as well as native address at Talegaon Dabhade, District-Pune, along with proof, to the satisfaction of the learned Sessions Judge.”

(iv) The applicant shall undertake to remain present before this Court as and when directed.

(v) The Criminal Application is disposed of in the aforesaid terms.

**C.V. BHADANG, J.**