IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1448 OF 2019
IN
CRIMINAL APPEAL NO.1066 OF 2017

Ashitosh @ Aashu Prakash Katalkar Applicant
versus
The State of Maharashtra Respondent

Mr.Aniket Vagal for applicant.
Ms.Deepa Amati, Amicus Curiae, for respondent no.2.
Mr.A.R.Kapadnis, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 11th December 2020

PC :

1. This is application for suspension of sentence and grant of bail. The applicant has been convicted for the offences punishable under Section 6 r/w S.5(m) of Protection of Children from Sexual Offences Act and sentenced to suffer rigorous imprisonment for ten years. He is further convicted for offence u/s 10 of POCSO Act and sentenced to suffer rigorous imprisonment for five years.

2. After arguing the application for some time and since the Court was not inclined to grant relief, learned counsel for applicant, on instructions, seeks leave to withdraw this application. However, it is submitted that the applicant is in custody for about six years and hence hearing of appeal may be expedited. Hence, I pass following order :

Manish S. Thatte Digitally signed by Manish S. Thatte Date: 2020.12.14 10:18:51 +0530

ORDER

(i) Criminal Application No.1448 of 2019 is allowed to be withdrawn and disposed of as such;

(ii) Hearing of appeal is expedited;

(iii) Preparation of paper book by Trial Court is expedited;

(iv) The applicant is granted liberty to move application for fixing date of hearing as soon as paper book is ready. It is expected that the paper book would be ready within three months.

3. The Court expresses word of gratitude for the able help rendered by Amicus Curiae. The professional fee of the Amicus Curiae be paid to her in accordance with rules.

4. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)

MST