

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

INTERIM APPLICATION NO. 2831 OF 2021
IN
CRIMINAL APPEAL NO. 958 OF 2021

Anil Siddhu Ananatkar ..Applicant

v/s.

State of Maharashtra & Anr. ..Respondent

Mr. Ghansham Jadhav for the Applicant.

Mr. P.H.Gaikwad, APP for the Respondent-State.

Ms. Megha Bajoria, for the Respondent No.2.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 8th DECEMBER, 2021.**

P.C.

1. By this Application, the applicant has sought suspension of substantive sentence imposed by judgment dated 9.10.2021 in Special (POCSO) Case No. 457 of 2019, Pune.

2. Heard Mr. Jadhav, learned Counsel for the Applicant, Mr. Gaikwad learned APP for the State and Ms. Bajoria, learned Counsel for the Respondent No.2. I have perused the record and considered the submissions advanced by the learned Counsels for the respective parties.

3. By the impugned judgment the Applicant has been held guilty and convicted for offence under Section 457 of IPC and sentenced to undergo rigorous imprisonment for one year with fine of RS.10,000/- in default to suffer rigorous imprisonment for 6 months.

4. The sentence imposed against the Applicant is a short term sentence. The appeal has been admitted. The appeal is of the year 2021. Considering the large pendency of old cases and the present situation arising from COVID 19 pandemic, it will not be possible to take up the appeal for final hearing in the immediate future.

5. Considering the above facts, in my considered view, this is a fit case to suspend the execution of sentence pending the disposal of the appeal. Hence the application is allowed on the following terms and conditions:-

i) Substantive sentence imposed against the Applicant by judgment dated 9.10.2021 in Special (POCSO) Case No. 457 of 2019, Pune is suspended pending hearing of the appeal;

ii) The Applicant is ordered to be released on bail on furnishing P.R. Bond in the sum of Rs.10,000/- (Rupees Ten Thousand Only) with one or two solvent sureties in the like amount, to the satisfaction of the Trial Court;

lii) The applicant shall report to the Trial Court once in two months on the day/ date specified by the Trial Court, till the Appeal is finally disposed on;

iv) The applicant shall keep the trial Court informed of his current address and mobile/contact numbers and/or change of residence or mobile details, if any, from time to time.

v) 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 application seeking cancellation of bail.

. Application is accordingly disposed of.

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signed by
PRASANNA P
SALGAONKAR
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(ANUJA PRABHUDESSAI, J.)