

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

CRIMINAL APPEAL NO.64 OF 2021

Gulab Champatrao Khandekar

...**VERSUS**...

State of Maharashtra, Through Police Station Officer, P.S. Mangrul
Dastagir, Distt. Amravati.

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

Court's or Judge's order

Shri. S. B. Gandhe, Advocate for the Applicant
Shri. H. D. Dubey, APP for Respondent.

CORAM : **N. B. SURYAWANSHI, J.**

DATED : **10th FEBRUARY, 2021.**

Heard.

Admit

The learned Addl. Public Prosecutor waives
service for respondent.

CRIMINAL APPLICATION (APPA) NO.78 OF 2021

The applicant original appellant was convicted for the offence punishable under Section 8 of the Protection of Children from Sexual Offences Act, 2012 and was sentenced to suffer rigorous imprisonment for three years and to pay a fine of Rs.5,000/- by the learned Sessions Judge, Amravati in Special (POCSO) Case No.119 of 2018 vide judgment dated 19.12.2020. The applicant prays to suspend his sentence and to release him on bail during the

pendency of the appeal.

The learned advocate for the applicant states that the learned trial Court has not appreciated the evidence in proper prospective. The applicant has good grounds to succeed in the appeal. It is seen from the record that the applicant was on bail during the trial and he has not misused the facility of the bail. The applicant has deposited the fine amount of Rs.5,000/- after conviction his sentence was suspended by the learned trial Court in terms of Section 389 of the Code of Criminal Procedure vide order dated 19.12.2020.

Taking into consideration these facts, the application is allowed. The applicant is directed to be released on bail on the same terms and conditions as are imposed by the learned trial Court. The criminal application is disposed of.

(N. B. SURYAWANSHI, J.)