

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

CRIMINAL APPLICATION (APPA) NO. 248/2021
IN CRIMINAL APPEAL NO. 156/2021.

Gunwant Rambhau Gedam.

-VERSUS-

State of Maharashtra.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Ms. S. Saware, Advocate for the Applicant/Appellant.
Shri M.Khan, APP for the Non-applicant/Respondent.

CORAM : VINAY JOSHI, J.

DATE : JULY 09, 2021.

Hearing was conducted through Video
Conferencing.

2. This is an application in terms of Section 378[1] of the Code of Criminal Procedure seeking suspension of execution of sentence passed by the Special Court in Special (POCSO) Case No.55/2017, whereby the applicant came to be convicted for the offence punishable under Section 376[1] of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act. The applicant/accused was sentenced to

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suffer rigorous imprisonment for 10 years along with fine of Rs.10,000/-.

3. With the assistance of both the learned Counsel, I have gone through the evidence of victim girl, medical examination report, Doctors' evidence and evidence of eye witnesses. After going through the entire material, when I expressed my non-inclination to consider the request for suspension of sentence during the pendency of the appeal, the learned Counsel for the applicant/appellant sought permission for withdrawal of the application with a request for expediting the hearing of the appeal.

4. In view of said statement, criminal application is disposed of as withdrawn. Liberty to the appellant to file private paper book and thereafter move for expeditious hearing of the appeal.

JUDGE

Rgd.