

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

CRIMINAL APPEAL NO. 312/2021.

Leshkumar Leeladhar Gokhale.

-VERSUS-

The State of Maharashtra, P.S. Jaripatka, Nagpur.

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

Court's or Judge's Orders

Shri R.M. Patwardhan, Advocate for the Appellant.
Shri M. Khan, A.P.P. for the Respondent.

CORAM : VINAY JOSHI, J.

DATE : AUGUST 05, 2021.

Heard.

2. **Admit.** Call for records and proceedings.

Learned A.P.P. waives notice for the respondent.

....

Criminal Application (APPA) No.425/2021.

Heard.

2. The applicant/appellant is seeking for suspension of execution of the sentence passed in Special Child Protection Case No.140/2015 dated 22.07.2021, whereby the learned Trial Judge has

2

held the appellant/applicant guilty for the offence punishable under Sections 354-A and 448 of the Indian Penal Code and Sections 11 and 12 of the Protection of Children from Sexual Offences Act, 2012. The maximum punishment awarded by the trial Court is to undergo rigorous imprisonment for two years along with total fine of Rs.2500/-.

3. It is submitted that the appellant/applicant has high chances of success in the appeal. With the assistance of the learned Counsel for the appellant, I have gone through the impugned judgment. The appellant/applicant has deposited the entire fine amount before the trial Court, and he was on bail during the trial. The punishment awarded is of fixed term of 2 years, and there is no likelihood of appeal reaching for final hearing in near future. Having regard to these facts, the execution of substantive sentence imposed by the learned Trial Judge vide judgment and order dated 22.07.2021 in Special Child Protection Case No.140/2015, is suspended till

3

final hearing of this appeal.

In the meantime, the appellant/
applicant be released on bail on his furnishing P.R.
Bond in the sum of Rs.25,000/- with one surety in
the like amount.

4. Criminal Application is accordingly
disposed of.

Rgd.

JUDGE