

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

CRIMINAL APPEAL NO. 470/2021

(Mahendra S/o Vasanta Sidam Vs. The 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

Shri A. S. Ambatkar, Advocate for appellant.
Shri A. R. Chutke, APP for respondent/State.

CORAM : VINAY JOSHI, J.
DATE : 17.11. 2021.

Heard.

2. **Admit.**

3. Learned APP waives service of notice
for respondent.

4. Call for R. and P.

CRIMINAL APPLICATION (APPA) NO. 639/2021

1. This is an application seeking
suspension of execution of sentence passed in
Spl. (POCSO) Case No. 40/2017, the appellant is
convicted for offence punishable under Sections
341, 323 of the Indian Penal Code and Section 354

2

of the Indian Penal Code read with Section 8 of the Protection of Children from the Sexual Offences Act. Maximum sentence imposed by the Trial Court is to undergo rigorous imprisonment for 3 years along with total fine of Rs. 6500/-.

2. During trial, the applicant/appellant was on bail and after conviction, the Trial Court has suspended the execution of sentence to enable the accused to file appeal. The entire fine amount is deposited in the Trial Court.

3. In view of above, execution of substantive sentence stands suspended till final disposal of the appeal.

4. In the meantime, the applicant/appellant – Mahendra S/o Vasanta Sidam shall be released on bail on the same terms and conditions as imposed by the Trial Court while suspending sentence.

JUDGE