

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO. 484 OF 2021

Vilas s/o Vasant Rao Nimbarte
..vs..
State of Maharashtra, thr. P.S.O.

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

Court's or Judge's orders

Shri A.K. Bhangde, Advocate for appellant/applicant.
Shri H.D. Dubey, A.P.P. for respondent/State.

CORAM : VINAY JOSHI, J.
DATED : 25/11/2021

Heard. **ADMIT.**

2. Issue notice to the respondent/State.
3. Learned A.P.P. waives notice for the respondent/State.
4. Call for the Record and Proceedings.

CRIMINAL APPLICATION (APPA) NO. 658 OF 2021

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Heard.

2. This is an application seeking suspension of execution of sentence passed in Special POCSO Case No.52 of 2019 by the Extra Joint District Judge-1 and Additional Sessions Judge, Nagpur vide judgment and order dated 22.10.2021.

3. The Trial Court has convicted the

applicant/appellant (accused) for the offence punishable under Sections 354 and 342 of the Indian Penal Code. The maximum sentence is to undergo rigorous imprisonment for three years along with total fine of Rs.1500/-. Entire fine amount has been deposited in the Trial Court. By way of filing separate Pursis, it is informed that the Trial Court has suspended the execution of sentence on the date of conviction itself.

4. Having regard to this fact, execution of substantive sentence passed in Special POCSO Case No.52 of 2019 by the Extra Joint District Judge-1 and Additional Sessions Judge, Nagpur vide judgment and order dated 22.10.2021 stands suspended till the final disposal of the appeal.

5. In the meantime, the applicant/appellant Vilas s/o Vasantrao Nimbarte shall be released on bail upon same terms and conditions as imposed by the Trial Court.

6. The applications stands disposed of accordingly.

JUDGE