

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

CRIMINAL APPEAL NO. 515/2021

(Tejas S/o Babarao Maraskholhe Vs. The State of Maharashtra)

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

Court's or Judge's orders

Shri M. Rai, Advocate for appellant/applicant.

Shri A. R. Chutke, APP for respondent- State/ non-applicant

CORAM : VINAY JOSHI, J.

DATED : 04.12.2021.

Heard

2. **Admit.**

3. Learned APP waives service of notice for respondent/State.

4. Call for R. and P.

CRIMINAL APPLICATION (APPA) NO. 695/2021

1. The applicant/accused is seeking for suspension of execution of sentence passed in Spl. (POCSO) Sessions Case No. 28/20217. The conviction is for offence punishable under Sections 451 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act (POCSO) read with Section 354-A(i) and Section 354(B) of the Indian Penal Code. The maximum term of imprisonment is to undergo rigorous imprisonment for 3 years along with total fine of Rs. 5,000/-. The applicant has deposited entire fine amount and he was on

bail during trial. Post conviction sentence is suspended and presently the applicant is on bail.

2. Considering the fixed term of sentence, the case for suspension is made out. Execution of substantive sentence is suspended till the final disposal of appeal.

3. In the meantime, the applicant – Tejas S/o Babarao Maraskholhe shall be released on bail on the same terms and conditions as imposed by the Sessions Court while suspending the sentence.

JUDGE

Gohane