

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

CRIMINAL APPLICATION (APPA) NO.721/2021
IN
CRIMINAL APPEAL NO. 536/2021

Rahul Ramesh Ingale

-VERSUS-

The State of Maharashtra, through P.S.O. P.S. Khadan, Akola, Tq. And Distt. Akola.

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

Court's or Judge's Orders

Shri U.J. Deshpande, Advocate for appellant.
Shri S.M. Ghodeswar, A.P.P. for respondent/State.

CORAM : VINAY JOSHI, J.
DATE : DECEMBER 15, 2021.

This is an application seeking suspension of execution of substantive sentence passed by the Trial Court in Sessions Trial No.1 of 2019 for the offence punishable under Section 354-D of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO).

2. The Trial Court has imposed maximum sentence to undergo rigorous imprisonment for three years along with fine. During the trial, applicant was on bail however, post conviction, the Trial Court has refused to suspend the sentence by stating that offence is non-bailable. The entire fine amount is deposited. The appeal will take considerable time for its disposal.

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3. Having regard to the fixed term of sentence of three years, the execution of sentence passed in Sessions Trial No.1 of 2019 for the offence punishable under Section 354-D of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO) is hereby suspended till final disposal of appeal.

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

JUDGE

R.S. Sahare