

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 CRIMINAL APPLICATION NO.2944 OF 2022
IN APPEAL/641/2022

RAMRAO @ KANTA SAMPAT SOLANKE
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicant : Mr Shrikant G. Kawade
APP for Respondent/State: Mr P.G. Borade

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 13th SEPTEMBER, 2022

PER COURT :

1. It is an application for suspension of sentence and bail filed by the applicant/appellant.
2. Heard Mr Kawade, learned counsel for the applicant and Mr P.G. Borade, learned APP for the State.
3. Perused the impugned Judgment and order of conviction passed by the learned Judge (Special Court, Jalna) in Special Case No. 170/2021 dated 19.07.2022. It is revealed during the course of argument that the applicant came to be acquitted from the serious offence punishable under section 13 (c) of The Protection of Children from Sexual Offences Act, 2012. He is convicted only under section 354 of IPC and sentenced to suffer rigorous imprisonment for one year and pay fine of Rs.5,000/- with default stipulation. He has deposited the fine amount with the trial court. He was on bail during the trial. There are no extraordinary circumstances to keep the applicant behind the bars. There are no chances to take up the appeal for final hearing in near future. It would be

just and proper to release the applicant by suspending the sentence.

ORDER

- (i) The criminal application is hereby allowed.
- (ii) The execution of substantive sentence passed by the learned Judge (Special Court, Jalna) in Special Case No.170/2021 dated 19.07.2022 is hereby suspended till final decision of the appeal.
- (iii) The applicant/appellant shall be released on bail on his furnishing P.R. Bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with one or two solvent sureties of the like amount on the following conditions :-
 - (a) The applicant shall furnish his in-detail address with his Cell Number before the trial court.
 - (b) Bail before the trial court.
 - (c) The criminal application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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