

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO.1535 OF 2022****IN****CRIMINAL APPEAL NO.514 OF 2022**

Rakesh Hanumantu Jadhav

.....Applicant

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Jay S. Patil i/by Mr. Viresh V. Purwant for the Applicant.

Ms.S.S. Kaushik APP, for the Respondent No.1-State.

CORAM : A. S. GADKARI, J.**DATE : 10th JUNE, 2022.****P.C.:-**

This is an Application for suspension of sentence and releasing the Applicant on bail.

2 Applicant has been convicted under Section 12 of the Protection of Children From Sexual Offences Act, 2012 (for short, "*POCSO Act*") and is sentenced to suffer simple imprisonment for one year and to pay fine of Rs.3,000/-, by the Additional Sessions Judge, (Special POCSO), Solapur in Sessions Case No.178 of 2018 by its Judgment and Order dated 26th April, 2022.

3 Learned Advocate for the Applicant submitted that, the Applicant was on bail during the pendency of trial and there is no report of

breach of any of the bail conditions imposed upon him. He further submitted that, the Applicant has already deposited fine amount in the Registry of the Trial Court. The Applicant was aged about 18 years on the date of commission of offence. He submitted that, except the allegation that the Applicant used to stalk at the prosecutrix who was 14 years of age at the relevant time and tried to talk with her on some occasions, there is no other serious allegation against him.

4 The Applicant has been convicted for simple imprisonment for one year. The possibility of hearing the present Appeal on its own merits in near future is remote. In view thereof and in view of submissions made by the learned Advocate for the Applicant, during the pendency of present Appeal the substantive sentence imposed upon the Applicant can be suspended and he can be released on bail.

5 Hence, the following Order:-

- (a) Applicant be released on bail in Sessions Case No.178 of 2018 arising out of C.R. No.33 of 2018 registered with Salgar Vasti Police Station, Solapur on his furnishing PR. bond of Rs.25,000/- with one or two solvent local sureties in the same amount.
- (b) After his release from jail and till final disposal of present Appeal, the Applicant is directed to attend Salgar Vasti Police Station, Solapur on every first Monday of the

month of every 3rd month, i.e. 4 times in a year.

- 6 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)