

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.122 OF 2022
WITH
INTERIM APPLICATION NO.123 OF 2022
IN
CRIMINAL APPEAL NO.383 OF 2021

Ramesh Bandu Shinde
versus
The State of Maharashtra

Applicant

Respondent

Mr.Siddhesh R. Samel, Advocate for applicant.
Ms.Shraddha Sawant, Advocate for respondent no.2.
Mr.Arfan Sait, APP, for State.
PSI Rane, MHB Police Station, Mumbai, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 22nd March 2022

PC :

1. Interim Application No.123 of 2022 is not on board. Papers are tagged with Interim Application No.122 of 2022. Heard both Interim Applications.
2. Both these interim applications are seeking suspension of sentence and grant of bail pending Criminal Appeal No.383 of 2021.
3. The applicant has been convicted for the offence u/s/354A of Indian Penal Code and Sections 11 and 12 of Protection of Children from Sexual Offences Act, 2012 vide judgment and order dated 23rd February 2021 passed by Special Judge under POCSO Act, Sessions

Court, Dindoshi, Mumbai in POCSO Special Case No.309 of 2016 and sentenced to undergo imprisonment for one year.

4. The applicant was on bail during trial. The sentence of imprisonment was suspended by the Trial Court on the date of conviction. The applicant has now surrendered and he is in custody.

5. By order dated 3rd March 2022 by way of interim relief sentence of imprisonment imposed by Trial Court was suspended. The sentence is of short term and considering the aforesaid aspects, interim order dated 3rd March 2022 deserves to be confirmed. Hence, I pass following order :

ORDER

- (i) Interim Application Nos.122 of 2022 and 123 of 2022 are allowed and disposed of;
- (ii) The sentence of imprisonment imposed vide judgment and order dated 23rd February 2021 passed by Special Judge under POCSO Act, Sessions Court, Dindoshi, Mumbai, in POCSO Special Case No.309 of 2016 is suspended and the applicant is directed to be released on bail on executing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iii) The applicant is permitted to furnish cash bail in the sum of Rs.20,000/- for a period of eight weeks in lieu of sureties;
- (iv) The applicant shall not approach the victim and shall not cause harassment to her;
- (v) The applicant shall attend Trial Court once in six months on First Saturday of the month till disposal of the Criminal Appeal;
- (vi) In the event there are two consecutive defaults in attending

the Trial Court, the Trial Court shall submit report to this Court;

(vii) In the event of default committed by the applicant in attending the Trial Court, the prosecution will be at liberty to prefer application for cancellation of bail.

(PRAKASH D. NAIK, J.)

MST