

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1056 OF 2021
IN
CRIMINAL APPEAL NO.287 OF 2021

Bhairu @ Bhairavnath Abasaheb Pawar	Applicant
versus	
The State of Maharashtra	Respondent

Mr.Vikrant V. Phatate, Advocate for applicant.
Mr.Sushan Mhatre, Advocate for respondent.
Mr.S.V.Gavand, APP for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 24th January 2022

PC :

1. This is application for suspension of sentence and grant of bail during pendency of Criminal Appeal No.287 of 2021.

2. The applicant has been convicted for the offence under Section 12 of POCSO Act and sentenced to suffer simple imprisonment for three months and pay fine of Rs.1,000/-. He has been acquitted for the offences under Sections 354D, 504 and 506 of Indian Penal Code and for offence under Section 7 of POCSO Act. It is submitted by learned advocate for applicant that sentence of imprisonment was suspended by Trial Court on the date of conviction. Considering the fact that sentence of imprisonment is of three months, pending the appeal, same can be suspended.

3. Hence, I pass following order :

ORDER

- (i) Interim Application No.1056 of 2021 is allowed and disposed of;
- (ii) During pendency of Criminal Appeal No.287 of 2021, the sentence of imprisonment imposed vide judgment and order dated 26th February 2021 in Sessions Case No.211 of 2017 by Additional Sessions Judge, Solapur is suspended, and the applicant-appellant 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 ten weeks in lieu of sureties.

(PRAKASH D. NAIK, J.)

MST