

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1222 OF 2022
IN
CRIMINAL APPEAL NO.382 OF 2022**

Chetan Raosaheb Nandanikar	.. Applicant/Appellant
<i>Versus</i>	
State of Maharashtra	.. Respondent

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Mr.Dhuru Balan i/b. Ms.Tanvi G. Tapkir, Advocate for the Applicant/Appellant.

Mr.Arfan Sait, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : APRIL 18, 2022.

P.C. :

This is an application for suspension of sentence and grant of bail during the pendency of Criminal Appeal challenging judgment of conviction.

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2 Applicant is convicted for the offence punishable under Sections 354-A (1)(i), 354-A (1)(iv) and 354-D (1)(i) of Indian Penal Code (“IPC”, for short) and sentenced to suffer imprisonment of two years six months and two years, respectively, on each count, *vide* judgment and order dated 4th February, 2022, passed by Extra Joint District Judge and Additional Sessions Judge, Sangli.

3 The applicant was on bail during the trial. The sentence of imprisonment has been suspended by the trial Court on the day of conviction in accordance with Section 389 of Cr.P.C. Fine amount has been deposited before the trial Court. The sentence is of short term. The Appeal may not reach for hearing immediately. Considering the circumstances, the substantive sentence of imprisonment can be suspended.

4 Hence, I pass the following order:

:: ORDER ::

- (i) Interim Application No.1222 of 2022, is allowed;
- (ii) During the pendency of Criminal Appeal No.382 of 2022, substantive sentence imposed *vide* judgment and order dated 4th February, 2022, passed by Extra Joint District Judge and Additional Sessions Judge, Sangli, in Special Case (POCSO) No.128 of 2014, is suspended and the applicant is directed to be released on bail on executing P.R. Bond in the sum of Rs.15,000/-, with one or more sureties in the like amount;
- (iii) Applicant/appellant is permitted to furnish cash bail security of Rs.25,000/-, for a period of eight weeks, in lieu of surety;

- (iv) Applicant/appellant shall attend the trial Court once in six months on first Saturday of the month, till disposal of Appeal;
- (v) In the event of two consecutive defaults in attending the trial Court, the said fact may be brought to the notice of this Court, and, in such eventuality, the prosecution is at liberty to move an application for cancellation of bail;
- (vi) The applicant shall not cause any harassment to the victim;
- (vii) Interim Application No.1222 of 2022, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)