

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1475 OF 2022****IN****CRIMINAL APPEAL NO. 483 OF 2022**

Sandhya Satyanarayan Gauda

... Applicant/Appellant

**V/s.**

The State of Maharashtra &amp; Anr.

... Respondents

Mr.Prabhanjay R. Dave for Applicant/Appellant.

Mr.R.M. Pethe, A.P.P. for Respondent No.1-State.

**CORAM : A.S. GADKARI, J.****DATE : 13<sup>th</sup> June 2022.****PC. :**

1. This is an application for suspension of sentence and releasing Applicant on bail.

2. Applicant is convicted under Section 370 of The Indian Penal Code and under Sections 3, 4 & 5 of The Immoral Traffic (Prevention) Act, 1956 and is sentenced to suffer maximum rigorous imprisonment for 7 years and to pay a total fine of Rs.20,000/-.

3. Mr.Dave, learned Advocate for the Applicant submitted that, during the pendency of the trial, the Applicant was released on bail and there is no report of breach of any of the conditions imposed upon the Applicant. He further submitted that, he has no instructions, as to whether the Applicant has

deposited the fine amount in the Registry of the Trial Court. However, if the Applicant has not deposited the fine amount in the Registry of the Trial Court, the Applicant will deposit it immediately and in any case before her release from jail.

4. Perusal of record indicates that, the prosecutrix was major at the time of raid by the Investigating Agency. It clearly reflects from her testimony and in particular para No.7 thereof that, the prosecutrix was indulging into the said vocation at her own wish and will for earning her livelihood.

5. In view thereof, during the pendency of the present appeal, substantive sentence imposed upon the Applicant can be suspended and she can be released on bail.

6. Hence, the following Order :-

(i) Applicant/Accused be released on bail in C.R. No. 309 of 2015 registered with Nagpada Police Station, District Mumbai on her furnishing P.R. bond of Rs.25,000/- with one or two separate solvent local sureties in the same amount.

(ii) The Applicant shall deposit entire fine amount in the Trial Court, if not deposited earlier, before her actual release from jail.

(iii) After her release from jail and till final disposal of present appeal, Applicant is directed to attend Nagpada Police Station on every first Monday of the month initially for a period of 1 year and thereafter on every first Monday of every 3<sup>rd</sup> month, i.e. 4 times in a year.

(vi) Applicant shall not tamper or pressurise the prosecution witnesses for withdrawal or compromising the case lodged by the informant.

7. Application is allowed in the aforesaid terms.

**[A.S. GADKARI, J.]**

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