

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1884 OF 2022
IN
CRIMINAL APPEAL NO. 621 OF 2022

Kiran Anil Sakat

.....Applicant

Vs.

The State of Maharashtra and Anr.

.....Respondents

Mr. Prashant Hagare for the Applicant.

Ms. S. S. Kaushik, APP for State.

CORAM : A. S. GADKARI, J.

DATE : 24th JUNE, 2022.

P.C.:-

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

2. Applicant has been convicted for offence punishable under Section 354 of Indian Penal Code and under Section 8 of Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act') and is sentenced to suffer maximum rigorous imprisonment for three years and to pay a total fine of Rs.3,000/-, by the learned Special Judge (POCSO), Baramati in Child Special Case No.84 of 2014 by its Judgment and Order dated 30th April, 2022.

3. Record indicates that, the Applicant was on bail during the pendency of trial and there is no report of breach of any of the conditions imposed upon him. Learned Advocate for the Applicant submitted that, the

Applicant has already deposited entire fine amount in the registry of the trial Court. As the maximum sentence imposed upon the Applicant is three years of rigorous imprisonment and the possibility of hearing the present Appeal on its own merits in near future is remote, this Court is of the view that, during the pendency of Appeal, substantive sentence imposed upon the Applicant can be suspended and he can be released on bail.

4. Hence, following Order:-

- (i) Applicant/Accused in Crime No.31 of 2013 registered with Baramati City Police Station, District Pune be released on bail on his furnishing P .R. Bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- (ii) During the pendency of the appeal, Applicant is directed to attend Baramati City Police Station, District Pune on every first Monday of the month initially for a period of 1 year and thereafter on every first Monday of every 3rd month, i.e. 4 times in a year.
- (iii) During the pendency of Appeal, Applicant shall not contact or threaten the prosecutrix.

5. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)