

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPEAL NO.131 OF 2022**

Haidarshaha Hirashaha

**Versus**

State of Maharashtra, through P.S.O. Dhamangaon, Badhe P.S., Tah. Motala, Dist.  
Buldhana

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

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Court's or Judge's Order

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Shri N.B. Kalwaghe, Advocate for the appellant.

Shri V.A. Thakare, A.P.P. for the respondent/State.

**CORAM : ANIL S. KILOR, J.**

**DATED : 04/03/2022**

1. Leave to add victim as a party-respondent.  
Amendment be carried out within one week.

2. Heard.

3. Issue notice to the respondents, returnable after  
**three weeks.**

4. Shri V.A. Thakare, learned A.P.P. waives service of  
notice to the respondent No.1/State.

5. In the meantime, learned counsel for the  
appellant shall remove office objections.

**CRIMINAL APPLICATION(APPA) NO.168 OF 2022**

6. The learned Designated Judge, Protection of Children from Sexual Offences) Act, 2012, (hereinafter referred as POCSO Act) Malkapur has convicted the appellant under Section 8 of the POCSO Act 2012, and sentenced to suffer three years Rigorous Imprisonment and fine of Rs.10,000/-. It is stated that the said amount of fine is already deposited. It is pointed out that the learned Designated Judge, POCSO, has already suspended the sentence till the filing of this appeal.

7. In that view of the matter and as this appeal is not going to be heard in near future, the application is allowed and sentence imposed by the learned Designated Judge, POCSO, Malkapur in Special Case No.01 of 2017 vide judgment dated 02.02.2022, is suspended till disposal of the appeal and appellant shall be released on bail on his executing P.R. Bond for Rs.15,000/- with one solvent surety in the like amount.

The application is **disposed of**, accordingly.

**[ANIL S. KILOR, J.]**