

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

**CRIMINAL APPLICATION (APPA) NO.203 OF 2022**  
**IN**  
**CRIMINAL APPEAL NO.161 OF 2022**

MANOJ @ CHOTU HAJARILAL DHURVE  
VS  
STATE OF MAH. THR. PSO PS KHAPA DIST.NAGPUR AND ANR.

---

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

Court's or Judge's Order

---

Shri S.D. Chande, Advocate for the appellant/applicant  
Shri S.D. Sirpurkar, APP for the State / Non-applicant

**CORAM : ANIL S. KILOR, J.**  
**DATED : 20<sup>th</sup> April, 2022.**

This is an application filed under Section 389 of the Code of Criminal Procedure for suspension of sentence and grant of bail.

2. The applicant has filed appeal against conviction challenging the judgment and order dated 14.02.2022 passed by the learned District Judge-11, Nagpur in Special Case No.36 of 2016, convicting the applicant for the offence punishable under Section 376(2)(n) of the Indian Penal Code (IPC) and Section 6

of Protection of Children from Sexual Offences Act and sentenced to suffer rigorous imprisonment for a period of ten years and to pay fine of Rs.10,000/-, in default to suffer further simple imprisonment for a period of three months.

3. It is informed that the applicant has got married with the victim and they were residing happily. However, subsequently, the victim left the company of the applicant.

4. Today, the father of the victim is present in the Court and he does not want to contest this proceeding. It is informed through the learned APP that the matter has already been settled.

5. Shri Chande, learned counsel for the applicant submits that the applicant was on bail during trial.

6. In the above stated backdrop, I am of the opinion that the present application needs to be allowed. Accordingly, I pass the following order:

- i. Criminal application is **allowed**.
- ii. The sentence imposed by the learned District Judge-11, Nagpur in Special Case No.36 of

2016, vide judgment and order dated 14.02.2022, is suspended till disposal of the appeal.

iii. The appellant/applicant shall be released on bail on his executing P.R.Bond for Rs.15,000/- with one solvent surety in the like amount.

iv. The appellant shall attend the concerned police station as and when his presence is required.

The application is **disposed of**.

**[JUDGE]**