

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

CRIMINAL APPEAL NO.156 OF 2022
AND
CRIMINAL APPLICATION (APPA) NO. 197 OF 2022

Jayant Shrikrushna Wawge

Versus

The State of Maharashtra, through P.S.O., P.S. Akot, Dist. Akola.

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

Court's or Judge's Order

Shri A.S. Mardikar, Sr. Advocate a/b. Shri Khemuka, Adv. for the appellant.
Shri V.A. Thakare, APP for the Respondent/ State.

CORAM : ANIL S. KILOR, J.

DATED : 21th MARCH, 2022.

CRI. APPEAL NO.156/2022.

1. Heard.
2. **Admit.**
3. Call record and proceedings.
4. Shri V.A. Thakare, learned A.P.P. waives service of notice for the respondent/State.

CRIMINAL APPLN. NO. 197/2022

1. This is an application for suspension of sentence and for grant of bail under Section 389 of the Code of Criminal Procedure.
2. The applicant is convicted vide judgment and order passed by the learned Special Judge and Additional Sessions Judge, Akot, dated 03/03/2022 in Special Criminal Case No.36/2017 for the offence punishable under Section 354(A)

of the Indian Penal Code and Section 9 (f) read with Section 10 of the Prevention of Children from Sexual Offences (POCSO) Act and sentenced to suffer Rigorous Imprisonment for a period of six years and to pay fine of Rs.25,000/- and in default, to suffer Rigorous Imprisonment for two years.

3. Shri A.S.Mardikar, learned Senior Counsel for the applicant submits that, this Court had granted bail to the applicant during trial, vide order dated 05/12/2017. As the applicant was on bail during the trial and he did not misuse the liberty, it is prayed for suspension of sentence and for grant of bail.

4. Shri V.A. Thakare, learned A.P.P. for the respondent/State, is not disputing the fact that the applicant was on bail during the trial and he has not misused the liberty.

5. In view of the above referred fact and as there is no possibility that this matter would come up for hearing in near future, I am of the opinion that this application needs to be allowed.

6. In that view of the matter, the sentence imposed on the appellant by the learned Special Judge and Additional Sessions Judge, Akot in Special Criminal Case No. 36/2017 vide judgment dated 03/03/2022, is suspended and the applicant shall be released on bail on his executing P.R.Bond of Rs.15,000/- with one solvent surety in the like amount.

The Criminal Application is **disposed** of, accordingly.

[JUDGE]