

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

CRIMINAL APPEAL NO.357 OF 2022

Rajnikant s/o Dilip Ivnate

Vs.

The State of Maharashtra through PSO Kalmeshwar Police Station, Kalmeshwar Dist.
Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. H. P. Lingayat, Advocate for appellant.

Mrs. M. H. Deshmukh, APP for respondent/State.

CORAM : AVINASH G. GHAROTE, J.

DATE : 10/06/2022

Heard Mr. Lingayat, learned counsel for the
appellant.

The appeal challenges the judgment dated 25.04.2022 whereby the appellant has been acquitted for the offence punishable under 8 of the Protection of Children From Sexual Offence Act (POCSO) and under Section 506 of the Indian Penal Code, but has been convicted for one year for the offence punishable under Section 354 of the Indian Penal Code and sentenced to suffer one year simple imprisonment and fine of Rs.5,000/-, in default simple imprisonment for one month and so also punishable under Section 354-A of the Indian Penal Code for three months rigorous imprisonment and fine of Rs.4,000/-, in default one month simple imprisonment and under Section 323 of the Indian Penal Code simple imprisonment for one

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month and fine of Rs.1,000/- in default fifteen days simple imprisonment plus compensation of Rs.10,000/-.

Mr. Lingayat, learned counsel for the appellant states that the fine has been deposited, considering which, **Admit.**

Mrs. Deshmukh, learned APP waives notice for the respondent.

Criminal Application (APPA) No.425 of 2022

Mr. Lingayat, learned counsel for the appellant submits that the learned Sessions Court has post conviction already enlarged appellant on bail till the appeal period by the order dated 25.04.2022. Considering that the matter has been admitted, the application for suspension of sentence is allowed.

The sentence is suspended and the applicant be released on bail, on the same terms and conditions as contained order dated 25.04.2022 passed by the learned Sessions Court.

JUDGE

Sarkate