

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 447 OF 2023
IN
CRIMINAL APPEAL NO. 108 OF 2023**

Shrikrushna @ Pintu Dhudaku Khambayat (Nhavi) ..APPLICANT

VERSUS

State of Maharashtra and Another ..RESPONDENTS

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Mr. Pratap Vikhe-Patil, Advocate h/f Mr. S.J. Salunke, Advocate for applicant
Ms. R.P. Gour, A.P.P. for respondent no.1 – State
Ms. Jayashree Nawale, Advocate for respondent no.2 – victim (appointed)

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**CORAM : R.G. AVACHAT, J.
DATE : 16th MARCH, 2023**

PER COURT :

1. None present for Respondent No.2 – victim, though served. Ms. Jayashree Nawale, learned counsel, is appointed to represent Respondent No.2 – victim.

2. The applicant has been convicted for the offence punishable under Section 354-A of the Indian Penal Code and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs.15,000/-, in default, to suffer simple imprisonment for three months. The applicant has further been convicted for the offences punishable under Sections 7 and 8 of Protection of Children from Sexual Offences Act and sentenced to suffer rigorous

imprisonment for three years and five years respectively and to pay fine of Rs.15,000/- for each offence, in default, to suffer simple imprisonment for three months. The fine amount has not been deposited.

3. Considering the quantum of sentence and the fact that the appeal is not likely to come up for final hearing by its turn in near future, the execution of substantive sentence of imprisonment to stand suspended, pending the appeal. The applicant be released on executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount. The order shall not be executed until fine amount is deposited.

4. Fees of Ms. Jayashree Nawale, learned counsel appointed to represent Respondent No.2, is quantified to Rs.6,000/- (Rupees Six Thousand).

5. Criminal application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD