

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1630 OF 2023
IN
CRIMINAL APPEAL NO. 366 OF 2023

SHAIKH BABU SHAIKH RASHID
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Adv. Shaikh Afreen R.
APP for Respondent/State : Mr. P. N. Kutti

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CORAM : KISHORE C. SANT, J.
DATE : 3rd MAY 2023.

Per Court :

1. The applicant has filed this application seeking suspension of substantive sentence as awarded by the learned Extra District Judge-1 and learned Additional Sessions Judge, Nanded in Special (POCSO) Case No. 54/2020 by order dated 20.03.2023. By way of the impugned judgment and order, applicant is held guilty for the offence punishable under Section 354-A of the Indian Penal Code and he is sentenced to suffer Rigorous Imprisonment for Six Months and to pay a fine of

Rs.2000/-, in default of payment of fine, to suffer Simple Imprisonment for one month.

2. The learned Advocate for the applicant submits that during the trial, applicant was on bail and fine amount is already deposited. She further states that there is no allegation of misuse of the liberty and prays for suspension of sentence.

3. Looking to the fact that during the trial, applicant was on bail and the sentence is short sentence, this Court finds that the application deserves to be allowed. Hence the following order.

ORDER

- (i) The application is allowed.
- (ii) The substantive sentence awarded by the learned Extra District Judge-1 and learned Additional Sessions Judge, Nanded in Special (POCSO) Case No. 54/2020 by order dated 20.03.2023, is suspended till further order.
- (iii) The applicant shall furnish bail bond in the amount of Rs.15000/- in the trial Court and shall keep informed the

concerned police authorities about his residential address and mobile number.

(iv) With this, the Criminal Application is disposed off.

[KISHORE C. SANT, J.]

Najeeb.