

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

**CRIMINAL APPLICATION NO. 2323 OF 2023 IN
CRIMINAL APPEAL NO. 572 OF 2023**

Sagar Ananda Sure

Applicant

Versus

The State of Maharashtra

Respondent

Mr. Arun S. Shejwal, advocate for the Applicant

Mr. P. M. Kulkarni, APP for Respondent No.1.

Mr. C. V. Bodkhe, advocate holding for Mr. R. V. Gore,
advocate for Respondent No.2.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 08th September, 2023.

PC :

Heard rival submissions.

The applicant-accused is seeking suspension of his substantial sentence of imprisonment during the pendency of this appeal. The learned trial Court i.e. Special Judge, POCSO Court No.2, Ahmednagar, under the impugned judgment and order dated 15.06.2023 in Special Case No. 130/2022, has sentenced the applicant to suffer rigorous imprisonment for three years and to pay a fine of Rs.5000/-,

in default, rigorous imprisonment for one year, under Section 363 of the Indian Penal Code; and to suffer rigorous imprisonment for 18 months for the offence punishable under Section 18 of the POCSO Act.

The applicant has already deposited the fine amount with the learned trial Court.

The learned Counsel for the Respondent No.2-victim and the learned A. P. P. strongly opposed the application on the ground that the offence is serious and the necessary ingredients are established against the applicant.

However, it seems that this Court, vide order dated 17.07.2023, has already directed that the applicant be released on furnishing P. R. Bond of Rs.15,000/- with one solvent surety by way of an interim relief. The said order is complied by the applicant-accused and, therefore, the same stands confirmed and made absolute.

Criminal Application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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Heard.

Admit.

Learned Counsel for respective respondents waive
service.

Call R. & P. along with paper book.

**(SANDIPKUMAR C. MORE)
JUDGE**

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