

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3248 OF 2022
IN
CRIMINAL APPEAL NO. 703 OF 2022

Sayyad Ajaj Hafizoddin

...Applicant

Versus

The State of Maharashtra & Another

...Respondents

.....

Mr. Akram Inamdar h/f. Mr. S.S. Kazi, Advocate for the applicant.

Mr. A.A. Jagatkar, APP for respondent - State

Mr. S.S. Jangada, appointed advocate for respondent No. 2.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 20th FEBRUARY, 2023

ORDER :

1. This application is filed for suspension of substantive sentence of imprisonment of three years imposed on the applicant by Special Judge (POCSO Act) and Additional Sessions Judge, Vaijapur, Aurnagabad in Special Case (POCSO) No. 8/2018, by order dated 01.09.2022.

2. Heard the learned advocate for the applicant, learned Additional Public Prosecutor for respondent-State and learned advocate for respondent No. 2. Perused the documents on record.

3. Sentence imposed on the applicant is short term sentence. Sentence of the applicant was suspended by Trial Court after recording conviction. The applicant has not misused the facility of bail during trial. The application is therefore, allowed.

4. Substantive sentence of imprisonment imposed on the applicant is hereby suspended. Applicant be released on same bail, but executing fresh bonds. The applicant shall deposit fine amount if not already deposited.

5. Fees of learned advocate for respondent No. 2 is quantified at Rs. 2500/-. High Court Legal Services Sub Committee, Aurangabad, shall pay the said fees within four weeks from today.

[NITIN B. SURYAWANSHI, J.]