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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.4201 OF 2022
IN
CRIMINAL APPEAL NO. 947 OF 2022

Rahim Ibrahim Tamboli (Shaikh)

APPLICANT

VERSUS

The State of Maharashtra and Another

RESPONDENTS

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Mr. Namdev D. Kendre, Advocate for the applicant

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

Ms. Poonam Bodke, Advocate for respondent No. 2 (appointed)

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 21st FEBRUARY, 2023

ORDER :

1. Ms. Poonam Bodke, learned advocate was appointed to represent respondent No.2 on 16th January, 2023. On 17th January, 2023, Legal Aid Services Authority, Sub Committee, Aurangabad instructed Mr. N. K. Tungar, learned advocate to appear on behalf of respondent No.2. He, therefore, has appeared in the matter.

2. Since Ms. Poonam Bodke, learned advocate is already appointed to represent respondent No.2, appearance of Mr. N. K. Tungar, learned advocate is discharged.

3. This Court, vide order dated 19th December, 2022, has suspended substantive sentence of imprisonment of three years, awarded to the applicant, by learned Additional Sessions Judge, Latur in Special Case (POCSO) No. 6 of 2021, till 16th January, 2023.

4. Heard learned advocate for the applicant, learned Additional Public Prosecutor for the State and learned advocate for respondent No.2.

5. Sentence awarded to the applicant is a short term sentence. The applicant was on bail during trial and he has not misused the facility of bail. The applicant has deposited fine amount. Therefore, the order dated 19th December, 2022 is hereby confirmed. Substantive sentence of imprisonment of three years, imposed on the applicant is suspended till final disposal of the appeal. Criminal application is disposed of.

6. Fees payable to Ms. Poonam Bodke, learned advocate appointed for respondent No.2 is quantified at Rs.2,500/- to be paid by Legal Aid Services Authority, Sub Committee, Aurangabad, within four weeks from today.

[NITIN B. SURYAWANSHI]
JUDGE