

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 1994 OF 2022
IN
CRIMINAL APPEAL NO. 1140 OF 2022**

Sachin Sandeep Waradkar ...Applicant/Appellant
Versus
The State Of Maharashtra And Anr. ...Respondents

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None for the Applicant/Appellant.

Mr. Shantanu Phanse, Advocate for Respondent No.2.

Ms. Pallavi N. Dabholkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.
DATE : 8th JUNE, 2023.

PER COURT:

1. This is an application for suspension of sentence and grant of bail pending appeal challenging the Judgment of conviction.
2. The Applicant/Appellant has been convicted for offences punishable under Sections 8 & 12 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act') and sentenced to suffer imprisonment of three years and two years on each count. Both the sentences are directed to run concurrently. The applicant is in custody for a period of about one and half year.

3. Considering the fact that the sentence is of short term and out of imprisonment of three years, the applicant has already undergone one and half year, the relief sought in this application can be granted.

ORDER

- i. Interim Application No. 1994 of 2022 is allowed;
- ii. During the pendency of Criminal Appeal No.1140 of 2022, the sentence of imprisonment imposed vide Judgment and order dated 28.01.2022 passed by learned Additional Sessions Judge, Sindhudurg, Oros, in Special Case (POCSO) No.10 of 2020 is suspended and the applicant is directed to be released on bail on executing PR. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- iii. The applicant is permitted to furnish cash bail in the sum of Rs.20,000/- for a period of six weeks in lieu of surety.
- iv. Interim Application stands disposed of accordingly.
- v. This order shall be communicated to the applicant through the Jail Superintendent, where the applicant is undergoing the sentence of imprisonment.

(PRAKASH D. NAIK, J.)