

GRM

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

**CRIMINAL REVISION APPLICATION NO. 39 OF 2023
WITH
CRIMINAL INTERIM APPLICATION NO. 540 OF 2023
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CRIMINAL REVISION APPLICATION NO. 39 OF 2023**

Sanjay Maruti Waghmode ... Applicant

V/s.

The State of Maharashtra & Anr. ... Respondents

Mr. A. A. Siddiquie i/b M/s. A. A. Siddiquie & Associates, Adv. for the Applicant.

Mr. R. M. Pethe, APP for the State/Respondent.

CORAM : R. G. AVACHAT, J.

DATED : FEBRUARY 10, 2023

P.C. :

Heard.

2. Issue notice, returnable after four weeks. Learned APP waives for the State/Respondent.

3 The applicant has been convicted for the offence punishable under Sections 12 of the Protection of children from Sexual Offences Act, 2012 read with Section 509 of the Indian Penal Code, 1860 and Section 354-A(2) of the Indian Penal Code, 1860 and therefore, he is sentenced to suffer rigorous imprisonment for

a period of one year and to pay fine of Rs. 20,000/- and in default to pay fine, to suffer simple imprisonment for a period of one month.

4. The Trial Court itself has suspended the substantive sentence of imprisonment. The revision application will take its time to have its turn for hearing on merits.

5. Considering the fact it being a short term sentence, this Court is inclined to suspend the execution of substantive sentence of imprisonment imposed on the applicant. In view of the same, execution of substantive sentence of imprisonment of the applicant to stand suspended.

6. Pending the revision application, the applicant be released on his executing PR Bond of Rs. 25,000/- (Rupees Twenty-five Thousand Only) and Surety Bond in the like amount.

7. Criminal Interim Application Nos. 539/2023 & 540/2023 to stand disposed of accordingly.

8. Stand Over to **10th March, 2023.**

(R. G. AVACHAT, J.)