

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2333 OF 2022
WITH
INTERIM APPLICATION NO.2335 OF 2022
IN
CRIMINAL APPEAL NO.714 OF 2022

Siddharth Keshav Ranpise .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr.Anil Lalla for the Applicant/Appellant.
Mr.N.B. Patil, A.P.P. for the State.

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CORAM: BHARATI DANGRE, J.
DATED : 10th APRIL, 2023

P.C:-

1. The learned counsel Mr.Lalla has invited my attention to the impugned judgment, where on recording a finding of guilt under Section 6 read with Section 5(m) of POCSO Act, the Applicant/Appellant has been sentenced to suffer R.I. for 20 years and has been held liable to pay fine of Rs.10,000/-.

The learned counsel is perfectly justified in submitting that the maximum sentence to be imposed under Section 6 of POCSO Act came to be amended on 16/08/2019 and it reads as under :-

“6(1). Whoever commits aggravated penetrative sexual assault shall be punished with rigorous imprisonment for a

term which shall not be less than twenty years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of natural life of that person, and shall also be liable to fine, or with death.”

The F.I.R. was lodged on 26/11/2018, and, according to the learned counsel for the Applicant, the provision is shown to have retrospective effect. I have taken note of this aspect, which has to be gone into while hearing the Appeal.

2. Heard the learned counsel Mr.Lalla on suspension of sentence and release of the Applicant on bail, pending the hearing of Appeal. On expressing my disinclination to entertain the Applications, the learned counsel would request for expeditious hearing of the Appeal, particularly when the R & P is already received and the Applicant has already undergone sentence of four and half years approximately, since the date of his arrest.

I deem it appropriate to consider the said request. The Applications are disposed off, as withdrawn. The Appeal is directed to be listed for final hearing in the week commencing from 19/06/2023.

3 Mr.Nitesh Hinduja, who was appointed to represent Respondent No.2, is not present. Registry is directed to send an intimation to the learned counsel about the hearing of the Appeal being fixed in the week commencing from 19/06/2023.

(SMT. BHARATI DANGRE, J.)