

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO.433 OF 2023
IN
CRIMINAL APPEAL NO.260 OF 2023

Hiralal s/o Babulalji Jambu

Vs.

The State of Maharashtra, through P.S.O. Jalalkheda, Taluka Narkhed, Dist Nagpur
and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. M. Nafde, Advocate for applicant.

Mr. S. M. Ghodeswar, APP for respondent No.1/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 05/06/2023

1. By this application, the appellant/accused is seeking suspension of sentence with a prayer of releasing him on bail.

2. The accused was prosecuted for the offence punishable under Sections 354 and 323 of the Indian Penal Code and under Section 8 of the Protection of Children from Sexual Offences Act, 2012. The learned Sessions Judge, Nagpur had held the appellant/accused guilty and convicted him for the offence punishable under Section 8 of the Protection of Children from Sexual Offences Act and sentenced to suffer rigorous imprisonment for four years and to pay fine of Rs.2000/-. Fine is already paid.

3. During the trial, the appellant/accused was on bail. The appeal would takes its own time for final disposal. Considering that appellant was on bail and he is not sentenced to suffer punishment of life imprisonment or imprisonment more than 10 years. In view of that, the execution of the sentence is to be suspended. Hence, I proceed to pass following order.

ORDER

(i) The execution of the sentence is hereby suspended.

(ii) The appellant/accused is hereby released on bail on furnishing PR bond in the sum of Rs.15,000/- with one solvent surety in the like amount.

(iii) The appellant/accused shall attend concerned Sessions Court, Nagpur once in a month and Sessions Judge shall record his attendance by giving him appropriate date.

(iv) Criminal Application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate