

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

Criminal Application [APPA] No.558 of 2023

in

Criminal Appeal No.356 of 2023

Vitthal s/o Rameshwar Mandase

vs.

The State of Maharashtra, through PSO, Police Station Borgaon Manju, Akola

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. A.S. Londhe, Advocate for the Applicant-Appellant.

Ms. H.N. Jaipurkar, A.P.P. for the Respondent.

CORAM : M.W. CHANDWANI, J.

DATE : 26th MAY, 2023.

Heard.

02] The appellant has challenged the judgment and order of conviction in Special POCSO Case No.112/2022 passed by the Extra Joint Additional Sessions Judge, Akola.

03] Issue notice to the respondents, returnable in four weeks.

04] The learned Assistant Public Prosecutor waives service of notice for respondent No.1.

05] The judgment and order reveals that the appellant-accused has been convicted to suffer rigorous imprisonment of three years and to pay fine of Rs.5,000/- for the offence punishable under Sections 354, 354-A, 354-D, 452 and 506 of Indian Penal Code. He has also been convicted for a term of three years for the offence punishable under Sections 8 and 12 of the Protection of Children from Sexual Offence Act, 2012. Likewise the appellant is also directed to suffer rigorous imprisonment

for three years for the offence punishable under Section 506 of the Indian Penal Code. It is directed that all the sentences shall run concurrently. The accused has already paid the fine amount.

06] Considering the term of punishments, pending the appeal, the substantive sentence shall be suspended and the accused shall be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount. Bail before the trial Court.

07] The application is allowed and disposed of accordingly.

JUDGE

**sandesh*