

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

...
CRIMINAL APPLICATION (APPA) NO. 657/2022
IN
CRIMINAL APPEAL NO. 509/2022

Praful s/o Bhimrao Savale

.. Applicant /s

versus

State of Maharashtra and another

.. Respondent /s

.....
Mr.S.M. Lodha, Advocate for the applicant

Mr. A.M. Kadukar, APP for Respondent No.1

Mr S.S.Das, Advocate (appointed) for Respondent No.2
.....

CORAM: ANIL L.PANSARE,J.

DATED : 5th January, 2023

PC:

The applicant, who has been convicted for the offences punishable under section 363 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, is seeking suspension of sentence. The charges that have been proved, indicate that the victim was 15 years old at the time of the incident. She has denied the suggestion that she was interested in marrying with the applicant. The victim being 15 years old her consent will be insignificant, so far as conviction u/s 4 of the POCSO is concerned. In the circumstances, it would be appropriate to expedite the hearing of the Appeal instead of suspending the sentence. Hence, the Application is rejected. However, hearing of the Appeal is expedited. Since R & P is received, filing of paperbook is dispensed with.

List the Appeal for final hearing on 14.02.2023.

[ANIL L. PANSARE, J.]

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