



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

905 CRIMINAL APPLICATION NO. 2308 OF 2024
IN APEAL/520/2024

SUNIL GANGARAM RATHOD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Chavan Sanjaykumar B.
APP for Respondents/State : Mr. S.K.Shirse
Advocate for Respondent No.2 : Mr. R.M. Gaikwad (appointed)

...

CORAM : KISHORE C. SANT, J.

DATE : 21st AUGUST, 2024.

PER COURT :

1. Heard the parties.
2. This application is filed for suspension of substantive sentences awarded by the learned Additional Sessions Judge and Special Judge, Bhokar on 24.04.2024 in Special Case No. 26 of 2021. The applicant is found guilty for the offences punishable under Sections 354, and 506 of the Indian Penal Code and Section 8 of the Protection of Children From Sexual

Offences Act. The sentences reads as under :

Sr. No.	Section	Punishment	Fine amount	In default Sentence
1.	354 IPC	R.I. 1 year	500/-	R.I. 3 Months
2.	506 IPC		500/-	S.I. 3 Months
3.	8 of POCSO	R.I. 3 years	500/-	R.I. 3 Months

3. The applicant has deposited the amount of fine on the date of judgment itself and on that his sentence came to be suspended. The said order is still enforced in view of subsequent orders passed by this Court.

4. Considering the circumstances, the sentences being short sentences and the fine amount is also already deposited, hence this Court is inclined to pass following order :

ORDER

- (i) The application is allowed and disposed off.
- (ii) The substantive sentence imposed upon

the applicant by judgment and order passed by the learned Additional Sessions Judge and Special Judge, Bhokar on 20.04.2024 in Special Case No. 26 of 2021 for the offences punishable under Sections 354, and 506 of the Indian Penal Code and Section 8 of the Protection of Children From Sexual Offences Act shall stand suspended till final disposal of the appeal.

(iii) The applicant shall be released on bail on furnishing PR Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) alongwith a solvent surety in the like amount.

(iv) The applicant shall not try to contact the victim and her relatives and shall not stay at Kasarpeth Tanda Tq. Bhokar, where the victim is residing.

(v) The applicant shall attend concerned police station once in two months i.e. on first Sunday of every alternative month starting from September, 2024, from 10.00 a.m. to 12.00 noon.

(vi) The applicant shall keep informed the concerned police station about his contact details such as residential address, mobile

number etc.

(vii) The learned Advocate for Respondent No. 2 is appointed through the Legal Services Authority, Aurangabad is entitled to receive fees as per rules.

(KISHORE C. SANT)
JUDGE

mahajansb/