



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 12 OF 2024
IN
CRIMINAL APPEAL NO. 3 OF 2024**

PRAVIN SURESH SANNAKE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Umesh Pawar a/w Adv. Akhil Kupade for the Applicant.
Ms. S.D. Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 16, 2024

P.C. :

1. This is an application for suspension of sentence. The applicant has been convicted by the trial Court for the offence punishable under Sections 354, 354-A(i), 354-D and 452 of the Indian Penal Code, 1860 and Section 12 of the Protection of Children from Sexual Offences Act, 2012 (hereafter referred to as "POCSO Act").

2. Learned counsel for the applicant submitted that the applicant was in pre-trial custody for almost 2 months. The applicant has been sentenced to imprisonment for 2 years and a fine. The fine amount has been paid. Substantive

sentences are ordered to run concurrently. The sentence imposed by the trial Court was suspended for enabling the applicant to file the appeal. However, the same was not filed within the stipulated time and therefore, the applicant was arrested on 14/01/2024.

3. Learned APP opposed the application contending that for a serious offence under the POCSO Act, the applicant has been convicted.

4. It is prayed that the appeal be heard. However, considering the pendency it is not possible to give priority to this appeal. The appeal is unlikely to be heard soon. Considering the duration of the sentence imposed and under the facts and circumstances of the present case and as the applicant was on bail during the trial, I am inclined to suspend the sentence. Hence, the following order.

ORDER

a) The sentence is suspended.

b) The applicant- Pravin Suresh Sannake shall be released on bail on his furnishing P.R. Bond of Rs.15,000/- with one or more sureties in the like

amount.

c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 15,000/- for a period of 8 weeks in lieu of surety.

d) The applicant shall report to the trial Court once in six months, i.e. first Monday of the concerned month, between 2.30 p.m. and 3.30 p.m. commencing February 2024.

5. The interim application is disposed of in the above terms.

(M. S. KARNIK, J.)