



Diksha Rane

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

**INTERIM APPLICATION NO.4363/2023
IN
CRIMINAL APPEAL NO.1304/2023**

SANJEEV SHISHUPAL KUMAR

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

None for the applicant

Smt. S. D. Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 18, 2024.

P.C. :

1. None for the applicant.
2. Learned APP for the State opposed the application.
3. With the assistance of learned APP for the State, I have perused the judgment and order of the trial Court convicting the applicant for the offence punishable under Section 8 of the Protection of Children from Sexual Offences Act, 2012 ("POCSO", for short) and thereby sentencing him to undergo rigorous imprisonment for three years and to pay fine of Rs.2000/-. The applicant was on bail during the trial. There is nothing on record to indicate that the applicant had

misused his liberty while on bail.

4. The applicant was in custody from 10/6/2020 to 16/6/2020. In the facts and circumstances of the present case, since the appeal which has been admitted, is not likely to be heard soon, I am inclined to suspend the sentence imposed by the trial Court considering the same being a short one. Accordingly, the sentence is suspended.

5. The applicant be enlarged on bail, on executing PR Bond in the sum of Rs.15,000/- with one or more sureties in the like amount.

6. The applicant shall report to the trial Court once in six months, every first Monday of the concerned month, commencing from February, 2024.

7. If the fine amount is not paid, the same shall be paid within a period of two weeks from today.

8. The application is disposed of.

(M. S. KARNIK, J.)