



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

CRIMINAL APPLICATION (APPA) NO.806 OF 2024
IN
CRIMINAL APPEAL NO.458 OF 2024

Sachin s/o Macchindranath Rangari

Vs.

State of Maharashtra, Through Police Station, Gittikhadan Police Station,
District Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. G. Hunge, Counsel for the applicant/appellant.
Ms. H. N. Prabhu, APP for non-applicant /State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 27/08/2024

1. By preferring this application, the appellant is seeking suspension of sentence and releasing him on bail.
2. Learned Counsel appearing through video conferencing submitted that the punishment imposed is of a limited period. Moreover, the learned trial Court has not considered the evidence and pointed out from the impugned judgment that he has many arguable points in the present appeal and the appeal would take its own time for its final decision and in the meantime, if the sentence is executed the purpose of preferring the appeal would frustrate.
3. Learned APP strongly opposed the application on the ground that the appeal itself is

devoid of merits and liable to be dismissed. In view of that application deserves to be rejected.

4. After hearing the learned Counsel for the appellant and learned APP for the State, perused the impugned judgment from which learned Counsel for the appellant pointed out that he has many arguable points in the present appeal. Moreover, the punishment imposed is of a limited period. Undisputedly, the appeal would take its own time for its final decision. In the meantime, if sentence is executed the purpose of preferring the appeal would frustrate. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The execution of the sentence imposed in Special POCSO Case No.137/2013 is suspended till disposal of the appeal.

(iii) The appellant **Sachin s/o Macchindranath Rangari** shall be released on bail on executing PR Bond of Rs.25,000/- with one solvent surety of the like amount.

5. Application is disposed of.

CRIMINAL APPEAL NO.458 OF 2024

(1) Heard.

(2) **Admit.**

(3)

13.appa.806.2024

(3) Learned APP waives service of notice for the State.

(4) Call for record and proceedings.

(5) Appeal be listed after preparation of the paper book.

(URMILA JOSHI-PHALKE, J.)

Sarkate