

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

**CRIMINAL APPLICATION (APPA) NO. 1070 OF 2023
IN
CRIMINAL APPEAL NO. 659 OF 2023**

Suresh s/o Vijayrao Wankhede
Vs.

State of Maharashtra, Thru. PSO, PS Pulgaon, Wardha and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Mahesh Rai, Advocate for applicant.
Mr. M.J. Khan, APP non-applicant/State.
Ms. Jayanti A. Deshpande, Advocate (appointed) for non-
applicant No.2.

CORAM : SMT. URMILA JOSHI PHALKE, J.

DATE : 24.07.2024

By this application, the appellant is seeking suspension of sentence and grant of bail during the pendency of appeal in Special (POCSO) Case No.45/2022.

2. Initially, by order dated 06.10.2023 till appearance of the victim the execution of the sentence was suspended and the appellant is released on bail on executing PR bond of Rs.25,000/-. Now the victim appeared through the counsel.

3. The sentence imposed is of limited period. The appeal is of year 2023, which will take its own time for its final decision. In the meantime, if the sentence is not suspended, the appeal will become infructuous. In view of that, the order passed by this Court dated 06.10.2023 is confirmed and the execution of sentence is suspended till disposal of the appeal. The appellant be released on bail on executing PR bond of Rs.25,000/- in one solvent surety in the like amount.

4. Fees of the appointed counsel be quantified as per rules.

Criminal Appeal No. 659/2023

Heard.

2. **Admit.**

3. Call for record and proceedings.

4. Appeal be placed before this Court after preparation of the paper-book.

(SMT. URMILA JOSHI PHALKE, J)