



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (APPA) NO. 311 OF 2024

IN

CRIMINAL APPEAL NO. 160 OF 2024

Akshay S/o. Anil Pendor (In Jail)

Vs.

State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R. A. Biranware, Advocate for applicant.
Shri Harshal D. Dubey, APP for non-applicant/State.

CORAM :- M. W. CHANDWANI, J.

DATED :- 05.04.2024

Heard.

2. The applicant has been convicted for the offence punishable under Section 8 of the Protection of Children from Sexual Offences Act, 2012 by the learned Additional Sessions Judge, Nagpur vide judgment and order dated 14.08.2023 in Spl. Cri. (Child) Case No. 150/2022 and sentenced to suffer rigorous imprisonment for three years and to pay fine of ₹3,000/-.

3. Considering the fact that the applicant was on bail during the trial and he did not misuse the liberty of bail and that the sentence is for a period of fixed term of three years, a case is made out for suspension of

substantive sentence imposed on the applicant during pendency of the appeal. Hence, the following order:-

- i) The application is allowed.
- ii) During the pendency of the appeal, the substantive sentence awarded to the applicant by the learned Additional Sessions Judge, Nagpur vide judgment and order dated 14.08.2023 in Spl. Cri. (Child) Case No. 150/2022 shall remain suspended.
- iii) The applicant be released on bail on he executing a PR bond of ₹25,000/- (Rs. Twenty Five Thousand) with one solvent surety in the like amount.
- iv) The applicant shall remain present before this Court at the time of final hearing of the appeal.

The Registry is directed to process the appeal as per rule and the appeal be listed before the Court as per its turn.

(M. W. CHANDWANI, J.)