

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

**Criminal Application [APPA] No. 963/2022**

**in**

**Criminal Appeal No. 753/2022**

*Parvez Khan @ Aasu s/o Yusuf Khan*

**vs.**

*State of Maharashtra, through P.S.O. Lakadganj, District Nagpur & another*

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*Office notes, Office Memoranda of*

*Coram, appearances, Court's orders*

*or directions and Registrar's orders.*  
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*Court's or Judge's Orders*

*Mr. S.S.Sohani h/f Mr. P.S. Jaiswal, Advocate for the  
Applicant/Appellant.*

*Mr. M.K. Pathan, A.P.P. for the Non-Applicant/Respondent No.1.*

**CORAM : M.W. CHANDWANI, J.**

**DATE : 28<sup>th</sup> OCTOBER, 2022.**

Heard.

02] This is an application for suspension of sentence and grant of bail.

03] The applicant/appellant has preferred an appeal against the order of conviction dated 26/09/2022 passed by the learned Sessions Judge at Nagpur for the offence punishable under Section 354-A of the Indian Penal Code and under Section 7 read with Section 8 and under Section 11(iv) read with Section 12 of the POCSO Act, thereby sentencing him to suffer rigorous imprisonment for three years and to pay fine of Rs.2,000/-, in default to suffer rigorous imprisonment for one month. Apart from this, the applicant also requests to suspend the substantive sentence.

04] The learned Counsel for the applicant submits that the applicant has good case to succeed in appeal, whereas the learned A.P.P. resisted the application.

05] It appears that the sentence was suspended by the trial Court till 01/11/2022 and the applicant was directed to obtain orders from the appellate Court. Considering the quantum of punishment awarded and the fact that the applicant was on bail during trial, the following order is passed:

**ORDER**

- i. The substantive sentence imposed upon the applicant is hereby suspended till final disposal of the appeal.
- ii. The applicant shall furnish a P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety in the like amount before the trial Court.
- iii. The application is allowed and disposed of accordingly.

**Criminal Appeal No. 753/2022 :**

Heard.

02] **Admit.**

03] The learned A.P.P. waives service of notice on behalf of the respondent/State.

04] Call for record and proceedings of the trial Court.

05] Authenticated copy of this order be supplied to the learned Counsel appearing for the parties to act upon.

Signed by: SANDESH DAULATRAO  
WAGHMARE  
Private Secretary to the Hon'ble Judge  
Date : 31.10.2022 14:42

**JUDGE**