

Court No. - 67

Case :- CRIMINAL APPEAL No. - 3421 of 2022

Appellant :- Mukesh

Respondent :- State Of U.P. And 3 Others

Counsel for Appellant :- Lalit Kumar Srivastava

Counsel for Respondent :- G.A.

Hon'ble Rahul Chaturvedi,J.

Heard learned counsel for the appellant as well as learned A.G.A. and perused the record.

By means of the present appeal, the appellant is challenging the judgment and order dated 11.04.2022 passed by learned Additional Sessions Judge/Special Judge, POCSO Act, Court no.27, Agra in Sepcial Trial No.628 of 2013 arising out of case crime no.239 of 2013, under sections 363, 366, 376 IPC and 4 of POCSO Act, Police Station-Fatehpur Sikri, District-Agra thereby convicting the appellant for five years rigorous imprisonment and a fine of Rs.10,000/- under Section 363 IPC, seven years rigorous imprisonment and a fine of Rs.10,000/- under section 366 IPC and fifteen years imprisonment and fine of Rs.80,000/- under section 4 of POCSO Act, and in case of default, additional imprisonment of four months was awarded to the appellant.

Admit.

Issue notice.

Summon the lower court record.

Since the appellant is being sentenced for more than ten years rigorous imprisonment and as a mandate of law under Section 389(Proviso) Cr.P.C., Learned A.G.A. may file objections, if any.

List in the last week of July, 2022 before appropriate Court.

It is made clear that bail application of the appellant would be considered after receipt of the lower court record.

Order Date :- 26.5.2022

Sumit S