

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1632 OF 2014
IN
CRIMINAL APPEAL NO.135 OF 2015

Shafiq M. Shaikh & Anr. V/s. State of Maharashtra

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Prothonotary's orders	Court's or Judge's orders
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Mr.Akshay M. Gosaavi, for the applicant-appellant.

Mrs.P.P. Bhosale, APP for the respondent-State.

CORAM : A.R. JOSHI, J.
DATE : 17TH JULY 2015

P.C.:

1. Heard rival arguments on these applications for bail and suspension of sentence during the pendency of the appeal. Appeal is already admitted.

2. Both the applicants are convicted for the offence punishable under section 306 and sentenced to suffer RI for 5 years each. Appellant no.1 is also convicted for the offence punishable under section 498A of Indian Penal Code and sentenced to suffer RI for 3 years. Reportedly, all the fine amounts are paid by both the applicants.

3. During the trial both the applicants were on bail. However, after their conviction on 30th August 2014 they were taken in custody.

4. Apparently the case of the prosecution is on substantive evidence of P.W.No.3 the son of the applicant no.1 and the victim women. He was then aged about 11 years while giving evidence. Considering the above as to the applicants were on bail during the trial present application is allowed. The applicants be released on same bail as granted by the trial Court with fresh bond to be executed before the trial Court. Application accordingly disposed of.

(A.R. JOSHI, J.)