

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1697 OF 2016

IN

CRIMINAL APPEAL NO.503 OF 2012

- 1) Shaikh Feroji Fatarumiya,
Age-30 years, Occu:Service,
R/o-Ahmedpur, Tq-Ahmedpur,
Dist-Latur,
- 2) Sayed Ayub Dastgir,
Age-30 years, Occu:Labour,
Hagdal, Tq-Ahmedpur,
Dist-Latur.

...APPLICANTS
(Orig. Accused)

VERSUS

The State of Maharashtra

...RESPONDENT

...

Mr.S.P. Urgunde Advocate for Applicant.
Mr.S.M. Ganachari, A.P.P. for Respondent.

...

CORAM: A.I.S. CHEEMA, J.

DATE : 28TH APRIL, 2016

ORDER :

1. Heard learned counsel for the Applicants. There is no provision to stay the Judgment of conviction. Learned counsel relies on the orders in the matter of **S. Manik Reddy s/o S. Sanganna Reddy vs. The State of Maharashtra** passed by this Court in Criminal Application No.1941 of 2008 on 1st July 2008. It is stated that as in the afore-stated matter the order of conviction was suspended, in present matter also the order of conviction may be suspended.

2. The matter of **S. Manik Reddy**, referred supra, was a matter where complainant had turned hostile and question of provisional pension was involved and the order itself shows that it is a matter of discretion of the Court. In the present matter, looking to the facts involved and the conviction order passed, I do not wish to exercise any such discretion to suspend the conviction in

serious matter of corruption. The Application is rejected.

3. The hearing of the Appeal is expedited. The Criminal Appeal be listed for final hearing on 21st June 2016.

[A.I.S.CHEEMA,J.]

asb/APR16