

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2844 OF 2016 IN
CRIMINAL APPEAL NO.324 OF 2016

Shaikh Turrab s/o Shaikh Daula ... APPLICANT

VERSUS

The State of Maharashtra ... RESPONDENT

.....
Shri G.R. Syed, Advocate for applicant
Shri K.S. Patil, A.P.P. for respondent/ State
.....

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

DATED: 12th July, 2016.

ORAL ORDER :

1. Heard learned counsel for the applicant - original accused. Perused the impugned judgment and order passed by the Additional Sessions Judge, Gangakhed. Considered the extent of the sentence which has been imposed. It is stated that the victim is resident of village Karam, Taluka Sonpeth, District Parbhani. It is stated that, the incident took place at village Karam where the applicant had gone to do labour work. It is stated that, the applicant is resident of Dupwadi, Taluka and District Parbhani.

2. The applicant has filed an undertaking that he would not enter village Karam or trouble the victim or any of the witnesses.

3. The learned A.P.P. states that, looking to the undertaking, the Court may pass any suitable orders.

4. Considering the bail application as well as the impugned order and the undertaking, I pass the following order:

5. The undertaking given by the applicant - accused is accepted. The sentence of imprisonment alone of the applicant - accused is suspended during pendency of the appeal, which has been admitted, subject to the applicant - accused furnishing P.R.B. and S.B. of Rs.15,000/- (Rupees fifteen thousand) in the trial Court with condition of - accused marking presence in the trial Court every three months, till disposal of the Criminal Appeal. Trial Court shall yearly send report in January of marking presence by accused in this regard to this Court till disposal of appeal. The accused shall be bound by the undertaking and if the same is violated, his bail bonds would be liable to be forfeited/ cancelled.

6 . The applicant - accused shall appear before the trial Court for compliance of this order on 26th July 2016 and the trial Court shall report compliance. The application is disposed of.

(A.I.S. CHEEMA, J.)

fmp/cr2844.16