

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

**CRIMINAL APPLIATION NO.77 OF 2016
IN
CRIMINAL REVISION APPLIATION NO.78 OF 2016**

Anwar Husain Mehandi Sayyed ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

Mr.Kuldip Patil i/b. Mr.A.G.Toraskar, Advocate for the Applicant.

Mr.P.H.Gaikwad-Patil, APP for the Respondent/State.

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CORAM : P. N. DESHMUKH J.

DATED : 16th SEPTEMBER 2016.

P.C.

1 This application is filed for suspension of sentence and for grant of bail. Heard learned counsel for applicant and learned Additional Public Prosecutor for the respondent/State.

2 It appears that applicant came to be convicted for the offence punishable under Section 509 of the Indian Penal Code and is sentenced to suffer simple imprisonment for three months and to pay fine of Rs.500/- in default of payment of fine to suffer simple imprisonment for 15 days. Applicant is further convicted for the offence punishable under Section 294 of the Indian Penal Code and is sentenced to suffer simple imprisonment for one month and to pay fine of Rs.500/- in default of payment of fine to suffer simple imprisonment for 15 days. Both the sentences are directed to run concurrently.

3 Appeal preferred against above Judgment came to be dismissed, as such, confirming the Judgment of the learned trial Court.

4 Learned counsel for the applicant has submitted applicant was on bail pending trial as well as pending appeal. It is not the case of prosecution that while on bail, applicant has misused the liberty granted to him. Considering the short sentence imposed upon applicant, application is allowed as per order below :

- (i) Applicant is released on bail on his furnishing personal bond in the sum of Rs.15,000/- with one surety in like amount.
- (ii) While on bail, applicant shall mark his presence with Colaba Police Station once in six months pending Revision Application and shall supply proof of his address and in the event of change of address, update the same with the concerned Police Station.

5 Application is disposed of as allowed.

(P. N. DESHMUKH J.)