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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.648 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.641 OF 2016**

Taj Mohd Abdul Rahim Warkar	...Applicant
Versus	
The State of Maharashtra and Anr.	...Respondent

Mr.Murtaza Najmi, i/b Mr.Jayant Gohil, for the Applicant.

Mr.A.R.Kapadnis, A.P.P for the Respondent No.1-State

CORAM : REVATI MOHITE DERE, J.

DATE : 14th DECEMBER, 2016

P.C. :

1. Heard learned Counsel for the applicant and learned A.P.P.

2. The applicant has been convicted by the learned Metropolitan Magistrate, 46th Court, Mazgaon, Mumbai vide Judgment and Order dated 4th August, 2014, for the offence punishable under Section 466 r/w 34 of the Indian Penal Code and sentenced to suffer R.I for 3 years and to pay fine of Rs.2,000/- in default to suffer R.I. for 1 month; for the offence

punishable under Sections 473 r/w 34 of the Indian Penal Code to suffer R.I for 3 years and to pay fine of Rs.1,000/- in default to suffer R.I. for 1 month, for the offence punishable under Sections 474 r/w 34 of the Indian Penal Code to suffer R.I for 3 years and to pay fine of Rs.1,000/- in default to suffer R.I. for 1 month. The aforesaid sentences were directed to be run concurrently. The said order of conviction and sentence was confirmed by the learned Additional Sessions Judge, City Civil and Sessions Court, Greater Mumbai in Appeal.

3. Learned Counsel for the applicant states that the applicant was on bail, pending trial and pending his appeal and that he has not abused or misused the liberty granted to him. He submits that the applicant has good case on merits. He submits that the Revision has been admitted by a separate order passed today in the Revision Application and the same is not likely to come up for the hearing in the immediate near future. He further submits that the applicant has surrendered on 15th November, 2016 and has been custody since then.

4. Perused the papers. It is not in dispute that the applicant was on bail pending trial and pending his appeal and that he has not abused or misused the liberty granted to him. The Revision has been admitted by a separate order passed today in the Revision Application and the same is not likely to come up for the hearing in the immediate near future.

5. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail, pending the hearing and final disposal of his Revision Application, on the following terms and conditions :

ORDER

(i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two local sureties in the like amount;

(ii) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court and to the concerned Police Station, in writing.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.