

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 676 OF 2016
(For Bail)
WITH
CRIMINAL APPLICATION NO. 677 OF 2016
(For Suspension of Sentence)
IN
CRIMINAL REVISION APPLICATION NO. 659 OF 2016**

Irfan Amir Sayyed

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. H. S. Udayar for the Applicant

Ms. V. S. Mhaispurkar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 21st DECEMBER, 2016

P.C. :

1. Heard learned Counsel for the applicant and learned A.P.P.
2. The applicant has been convicted for the offence punishable under Section 380 of the Indian Penal Code and has been sentenced to suffer R.I for 1 year and to pay fine of Rs. 5,000/-, in default, to undergo

S.I. for 1 month vide judgment and order dated 1st April, 2014 passed by the Metropolitan Magistrate, Dadar, Mumbai, in C.C. No. 654/PW/2009. The said judgment and order has been confirmed by the learned Additional Sessions Judge, City Civil & Sessions Court, Greater Mumbai, in Criminal Appeal No. 360 of 2014 vide Judgment and Order dated 28th November, 2016.

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.

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 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. Applicant's sentence is suspended and the applicant is enlarged on bail,

pending the hearing and final disposal of the 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. 25,000/- with one or two local sureties in the like amount;
 - (ii) The applicant shall attend the trial Court once in three months on the first Monday of the concerned month between 11:00 a.m. to 12:00 noon commencing from January, 2017, pending the hearing and final disposal of his Revision;
 - (iii) 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 Criminal Application No. 676 of 2016 is allowed in the aforesaid terms and is accordingly disposed of.

7. In view of the above order, Criminal Application No. 677 of 2016 does not survive. The same stands disposed of.
8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.