

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL REVISION NO.124 OF 2016

Sheikh Babu Shikh Jalal and anr.

-vs-

The State of Maharashtra, Thr. PS. Ramnagar, Dist. Chandrapur.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri S. B. Tiwari, Advocate for applicants.
Shri Doifode, APP for non-applicant-State.

CORAM : A.S.CHANDURKAR, J.

DATE : AUGUST 04, 2016

Issue notice to the non-applicant, returnable on
29/08/2016. Shri Doifode, the learned Additional Public
Prosecutor waives notice on behalf of the non-applicant.

Call for record and proceedings.

Criminal Application No.136 of 2016.

Notice on application is made returnable forthwith.

The applicants stand convicted for offences punishable under Sections 363, 366, 354, 323, 506 read with Section 34 of the Indian Penal Code. The conviction for period of six years as imposed by the trial Court has been reduced to imprisonment for three years by the appellate Court. The applicants have challenged their conviction by filing aforesaid revision petition.

It is submitted on behalf of the applicants that throughout the trial as well as during pendency of the appeal both the applicants were enlarged on bail. It is submitted that the conviction of the applicants as recorded is on the

basis of evidence which should not have been relied for said purpose.

Shri Doifode, the learned Additional Public Prosecutor for the non-applicant supports the order of conviction. He does not dispute however that the applicants were on bail during the trial and during pendency of the appeal.

As the conviction is for a period of three years which is under challenge in the revision petition and after perusing the impugned judgment, the following order is passed :

The applicants are directed to be released on bail during pendency of the revision application on the same terms and conditions on which they were on bail during pendency of the appeal.

The application is allowed and disposed of.

Humdast granted.

JUDGE

-: C E R T I F I C A T E :-

“ I certify that this Judgment/order uploaded is a true and correct copy of the original signed Judgment/order.”

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Asmita A. Bhandakkar
Personal Assistant

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04/08/2016