

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

Criminal Application [APPA] No.694 of 2016

(Asif Sheikh Salim Sheikh

vs.

The State of Maharashtra, through P.S.O. Durgapur, District Chandrapur)

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

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Court's or Judge's Orders

CORAM : S.B. SHUKRE, J.
DATE : 19th OCTOBER, 2016.

Heard Shri A.S. Manohar, learned Counsel for the
applicant.

Issue notice to the non-applicant/State.

Shri C.A. Lokhande, learned A.P.P. waives service
of notice on behalf of the State.

From the ground taken in the application, I am of
the view that sufficient cause is disclosed. The application is,
therefore, allowed. Delay is condoned.

Criminal Appeal No. _____/2016 :

Heard.

Issue notice to the respondent/State.

The learned A.P.P. waives service of the notice on
behalf of the State.

Admit.

Call for record and proceedings.

This appeal be tagged along with Criminal Appeal
No.322/2016.

Criminal Application [APPA] No. _____/2016 :

Heard.

Issue notice to the respondent/State.

The learned A.P.P. waives service of the notice on behalf of the State.

This case appears to be based upon the suicide note left behind by the deceased. A perusal of the suicide note, as rightly submitted by the learned Counsel for the appellant, makes out an arguable case. Therefore, this application deserves to be allowed.

The application is allowed. The substantive sentence of imprisonment is hereby suspended till final disposal of the appeal and till that time, the appellant be released on bail on his furnishing a P.R. Bond in the sum of Rs.15,000/- together with one solvent surety in the like amount on the condition that the appellant shall pay the fine amount, if not paid so far, within a week's time from the date of his release.

The application is disposed of.

Criminal Application [APPA] No. _____/2016 :

As the certified copies of the judgment and depositions in the Sessions Case No.152/2014 have been filed on the record of Criminal Appeal No.322/2016, the connected matter, the application is allowed. Filing of certified copies of judgment and depositions in this appeal is dispensed with.

The application is disposed of.

C E R T I F I C A T E

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

Uploaded by: S.D. Waghmare
P.A. to the Hon'ble Judge.

Uploaded on : 19/10/2016