

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.625 OF 2017
WITH
CRIMINAL APPLICATION NO.626 OF 2017
IN
CRIMINAL APPEAL NO.379 OF 2017**

Rizwan Shaukatali Momin)...Appellant/Applicant

V/s.

State Of Maharashtra)...Respondent

Mr. Momin Mohd. Farooque Nisar, Advocate for the
Appellant/Applicant.

Mr. S.V.Gavand, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 24th April, 2017.

P.C. :

These are applications for suspension of sentence and releasing the applicant-accused on bail during the pendency of the appeal filed by him.

2 By the impugned judgment and order, the applicant-accused has been convicted of the offence punishable under Section 135 of the Electricity Act, 2003 and he has been sentenced to suffer rigorous imprisonment for one year apart from payment

of fine of Rs.2.10 Lakhs and in default to that direction to undergo simple imprisonment for six months.

3 Heard the learned advocate for the applicant-accused. He submitted that fine amount of Rs.2.10 Lakhs has already been paid and the substantive sentence of imprisonment has already been suspended by the learned trial Court . The learned APP opposed the application.

4 Short sentence of one year has been imposed on the applicant-accused by the learned trial Court. He has deposited entire fine amount. Pendency of the appeal filed by the applicant-accused will take its own time. He was on bail during the pendency of the trial and, therefore, the order:

(1) Applications are allowed.

(2) The substantive sentence of imprisonment imposed on the applicant-accused is suspended and he is directed to be released on bail on executing PR bond in the sum of Rs.15,000/- and on furnishing surety in the like amount.

- (3) Applications are accordingly disposed of with this order.

(A. M. BADAR, J.)