

Anand

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.762 OF 2017  
IN  
CRIMINAL APPEAL NO.470 OF 2017

Mohammad Sharif Jumman Qureshi .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.P.V.Naik, Advocate, for the Applicant  
Mr.V.V.Gangurde, APP, for the Respondent – State

**CORAM : REVATI MOHITE DERE, J.**

**DATE : 13.06.2017**

**P.C.**

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks suspension of his sentence & enlargement on bail, pending the hearing and final disposal of the aforesaid Appeal.

3. The Applicant has been convicted & sentenced vide Judgment and Order dated 18.04.2017, passed by the learned District Judge-9 and Additional Sessions Judge, Thane, as under :-

- For the offence punishable under Section 135 of the Electricity Act, 2003 to suffer R.I. for two years and to pay fine of Rs.3,31,197/-, in default to suffer S.I. for further period of six months;

- For the offence punishable under Section 138 of the Electricity Act, 2003 to suffer R.I. for six months and to pay fine of Rs.1,000/-, in default to suffer S.I. for further period of 15 days.

Both the sentences are directed to run concurrently.

4. Learned counsel for the Applicant states that the Applicant has deposited the fine amount of Rs.3,32,197/-. The Appeal has been admitted by a separate order dated 13.06.2017. The sentence imposed is a short term sentence. Considering the fact, that the Appeal is not likely to be heard in the immediate near future and the fact that the Applicant was on bail pending the trial and has not abused or misused the conditions of bail, the Applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of his Appeal on the following terms & conditions:-

**O R D E R**

(i) The Applicant be enlarged on bail, on executing PR

Bond in the sum of **Rs.20,000/-** with one or two sureties in the like amount.

5. Accordingly, the Application is disposed of on the aforesaid terms.

Parties to act on the authenticated copy of this order.

**(REVATI MOHITE DERE, J.)**