

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.858 OF 2017
IN
CRIMINAL APPEAL NO.70 OF 2016**

Mohammad Ayub Alimuddin Shaikh @ Ayub Chikana Versus State of Maharashtra	..Applicant ..Respondent
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**Mr. Nitin Pradhan a/w J. Oswal i/by JJ Associates for the Applicant.
Mrs. S. V. Sonawane, APP for Respondent – State.**

**CORAM : B. R. GAVAI &
B. P. COLABAWALLA, JJ.
DATE : 20th DECEMBER, 2017**

PC.

The first application filed by the Applicant for suspension of the sentence was rejected vide order dated 6th April 2016. The second application which is rejected on 18th January 2017 by an elaborate order. The Special Leave Petition challenging the order passed by the learned single Judge is also rejected on 12th April 2017. No doubt that the learned counsel for the Applicant relies on the judgment of the Apex Court in **Bhagwan Rama Shinde Gosai and others Vs. State of Gujarat** reported in **(1999) 4 SCC 421**. However, the ground on which this application is pressed that is the Applicant has spent more than half of the sentence was very much available when earlier applications were rejected. The Criminal Application is therefore rejected.

[B. P. COLABAWALLA, J.]

[B. R. GAVAI, J.]