

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.326 OF 2016

IN

CRIMINAL APPEAL NO.354 OF 2013

NAFIZ ALAM NURUL HUDDA SHAIKH)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

None for the Applicant.

Ms.Nasreen Ayubi, Appointed Advocate for the Applicant.

Mr.V.V.Gangurde, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 19th JANUARY 2018

P.C. :

1 This is an application for suspension of sentence and releasing the applicant/accused on bail during the pendency of the appeal filed by him. The applicant/accused is convicted of offences punishable under Sections 489B and 489C read with 34 of the Indian Penal Code by the learned Additional Sessions Judge, Greater Bombay, Mumbai. Maximum sentence imposed on him is rigorous imprisonment for 10 years apart from payment of

fine of Rs.10,000/- and in default to undergo simple imprisonment for 6 months.

2 Heard Ms.Nasreen Ayubi, the learned advocate appearing for the applicant/accused and the learned APP. Perused the copies of deposition of prosecution witnesses as well as the impugned judgment and order of conviction as well as the resultant sentence.

3 Today, by separate order, the appeal filed by the applicant/accused is directed to be heard expeditiously. Considering the nature of the offence and the fact that the appeal filed by the applicant/accused is already expedited, I see no reason to grant bail to the applicant/accused.

4 The application is, therefore, rejected. The appeal be listed for final hearing on the board of the week commencing from **22nd January 2018.**

(A. M. BADAR, J.)