

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1419 OF 2018

IN

CRIMINAL APPEAL NO.1025 OF 2018

WITH

CRIMINAL APPLICATION NO.1420 OF 2018

IN

CRIMINAL APPEAL NO.1025 OF 2018

Jishan Parvez Alam Sayyad ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

Mr.Datta Mane, Advocate for the Applicant.

Mr.P.H.Gaikwad-Patil, APP for the Respondent/State.

....

CORAM : A.M.BADAR J.

DATED : 12th SEPTEMBER 2018.

P.C. :

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

2 The applicant/accused is convicted for the offence punishable under Section 363 of the Indian Penal Code and he is sentenced to suffer rigorous imprisonment for three years apart

from payment of fine of Rs.5,000/- and in default to undergo further rigorous imprisonment for two months.

3 Heard both sides.

4 The applicant/accused was on bail during pendency of the trial. After conclusion of trial, the learned trial Court has suspended the sentence by exercising powers under Section 389(3) of the Code of Criminal Procedure. The appeal filed by the applicant/accused may not be heard within a short period. Hence, the Order

ORDER

- (i) The applications are allowed.
- (ii) The substantive sentence of imprisonment imposed on the applicant/accused is suspended and he is directed to be released on bail on his executing P. R. Bond of Rs.15,000/- and on furnishing surety in the like amount.
- (iii) As a condition of this order, the applicant/accused should not contact the victim of the crime in question so also the prosecution witness in any manner.
- (iv) The application are disposed of accordingly.

(A.M.BADAR J.)

Raju
Dattatraya
Gaikwad

Gaikwad RD

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