

Vidya Amin.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 1153 OF 2019

Mrs. Sabeera Mohd. Haji Shaikh & Anr. ... Petitioners
VS.
The State of Maharashtra & Anr. ... Respondents

Mr. Ashok R. Jaiswar, Advocate for the petitioners.
Mr. A.R. Patil, Addl. P.P. for the respondent no. 1/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 4th March, 2019.**

P.C. :

Upon urgent mentioning, taken on production board.

2. In this Writ Petition, the petitioners pray that the order dated 23rd March, 2016 passed by learned Metropolitan Magistrate, 16th Court, Bellard Pier, Mumbai be set aside and the petitioners/accused be released on bail.

3. The learned Metropolitan Magistrate by the judgment and order dated 23rd March, 2016 has convicted the petitioners/accused for the offences punishable under section 392 r/w. 34 of Indian Penal Code. The said order of conviction is confirmed by the learned Additional Sessions Judge, Greater Mumbai dated 7th September, 2017, however, the order of

sentence is modified by directing to release both the petitioners/accused of entering them into bond of good behaviour for three years from the date of execution of bond. The time for execution of bond was given within two weeks from the date of the order, i.e., 7th September, 2017.

4. The learned counsel for the petitioners submitted that the petitioners/accused are taken in custody on 1st February, 2019 pursuant to the order of execution of conviction warrant. The learned counsel submitted that the petitioners did not execute the bond and therefore, they were taken in custody. He submitted that the petitioner no. 1 is pregnant.

5. The time for executing bond is extended by four weeks, i.e., on or before 1st April, 2019. The order of arrest is set aside. The petitioners/accused shall be released on bail upon furnishing a P.R. Bond in the sum of Rs.10,000/- each with one or two sureties in the like amount.

6. Writ Petition is disposed of.

(MRIDULA BHATKAR, J.)