

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 646 OF 2018
IN
CRIMINAL REVISION APPLICATION No. 675 OF 2018
WITH
CRIMINAL REVISION APPLICATION No. 675 OF 2018**

Abdul Sabud Hafijulla Ansari & Ors. ... Applicants

VS.

The State of Maharashtra & Anr. ... Respondents

Mr. Sushrut Jadhwar, Advocate for the applicants.

Mr. A.R. Patil, APP for the respondent/State.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: 14th March, 2019

P.C. :

1. Upon mentioning, taken on production board.
2. Leave to amend to add the order dated 29th October, 2018 passed by the learned Additional Sessions Judge, City Civil & Sessions Court, Greater Bombay.
3. The Criminal Application is moved by the applicants/accused for suspension of the sentence and also for bail pending the Criminal Revision Application.

4. The learned Additional Sessions Judge by order dated 29th October, 2018 has convicted all the four applicants for the offences punishable under sections 452 and 323 r/w. 34 of Indian Penal Code and maximum punishment awarded is rigorous imprisonment of one month and fine.

5. The learned counsel for the applicants submitted that the order dated 7th March, 2017, the learned Metropolitan Magistrate, 49th Court, Vikhroli, Mumbai has acquitted all the applicants from the said offences. They have good case on merits. The learned counsel submitted that the applicants/accused were on bail throughout the trial and also during the appeal.

6. Learned Prosecutor is present and submits to the orders of the Court.

7. In view of the submissions of the learned Counsel and also as there is no chance that the Revision Application will be heard in near future, the Criminal Application is allowed on the following terms:

- i) The impugned sentence is suspended;

- ii) The applicants/accused shall be released on bail upon furnishing a P.R. Bond in the sum of Rs.15,000/- each with one or two sureties in the like amount;
- iii) The applicants/accused shall not jump the bail;
- iv) The applicants/accused shall not indulge into any criminal activity;
- v) The applicants/accused shall make themselves available at the time of hearing of Revision Application.

8. Criminal Application stands disposed of accordingly.

9. Place the Criminal Revision Application on 28th June, 2019.

(MRIDULA BHATKAR, J.)