

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 194 OF 2018
IN
CRIMINAL APPEAL NO. 254 OF 2017

Dastagir Abdul Khan ... Applicant

Versus

The State of Maharashtra ... Respondent

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Ms. Anjali Patil, for the Applicant/Appellant.

Mrs. A. A. Takalkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 06th JANUARY, 2021

PC :

. Learned Advocate for the applicant submitted that the applicant is in custody for a period of about 7 ½ years, hence the appeal be listed for final hearing. It is submitted that the applicant would not press this application for suspension of sentence. However, liberty be granted to the applicant to prefer an application for suspension of sentence and grant of leave in the event, the appeal is not decided within a period of six months.

2. It is pertinent to note that this Court by Order dated 27th September 2019 passed in Criminal Application No.1378/2019 in Criminal Appeal No.191/2018 expedited hearing of the appeal

preferred by the co-accused. It was also directed that appeal be put up for final hearing. It is also noted that the Paper Book is ready.

3. Considering the aforesaid circumstances, the appeal be listed on final hearing board commencing from 1st February 2021. In the event, the appeal is not heard for final hearing within a period of six months, the applicant is at liberty to prefer application for suspension of sentence and grant of bail.

4. On aforesaid directions, application is allowed to be withdrawn and disposed off.

5. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)