

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

**INTERIM APPLICATION NO. 658 OF 2020
IN
CRIMINAL APPEAL NO. 208 OF 2020**

Yasmin Movin Siddiqui ..Applicant
Vs.
The State of Maharashtra ..Respondent

Mr. Nitesh Mohite i/b. Mr. Satyavrat Joshi, for the Applicant.
Mr. S. R. Agarkar, APP for the Respondent / State.

**CORAM : C.V. BHADANG, J.
DATE : 1 DECEMBER 2021**

P.C.

. Heard.

2. This is an Application for suspension of sentence and for bail. The Applicant has been convicted for the offence punishable under Section 344 r/w. Section 34 of IPC and under Section 3, 4 and 7 of the Immoral Traffic (Prevention) Act, 1956 ('the said Act'). For the offence under Section 344 of IPC and Section 3 and 4 of the said Act, the Applicant has been sentenced to undergo Rigorous Imprisonment for one year with fine. For the offence under Section

7 of the said Act, the Applicant has been sentenced to undergo Rigorous Imprisonment for three months with fine.

3. The sentence was suspended by the learned Sessions Judge during the appeal period. Normally, it was for the Applicant to get his Application circulated and to obtain orders for suspension and for bail. However, the Applicant has not taken any steps although the Appeal is filed within time. It is only when the Appeal was listed by the office that the present Application has come up for hearing. This cannot be countenanced. However, considering the maximum sentence of one year which has been awarded and the fact that the Applicant was on bail during the trial, following order is passed.

ORDER

1. The substantive sentence of imprisonment is suspended pending disposal of the Appeal subject to the Applicant furnishing a P.R. Bond in the sum of Rs.20,000/- with one or two solvent sureties, in the like amount and on payment of fine, if not already paid.

2. The Applicant shall undertake to remain present before this Court as and when directed.

3. The bail bonds to be furnished before the learned Sessions Judge.

4. The Criminal Application is disposed of in the aforesaid terms.

C.V. BHADANG, J.