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Sawant

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Criminal I.A. No. 703 / 2020
in
Criminal Appeal No. 224 / 2020

Salauddin @ Babbu @ Chikana
Mainuddin Kureshi And Anr.

.. Appellants

Vs.

The State of Maharashtra

.. Respondent

Mr. Milan Desai i/by Mr. T.R. Patel, Advocate for Appellant in
Appeal 224/2020
Mr. R.M. Pethe, APP for State/ Respondent.
Mr. Ravikant Sawant, Kandivali Police Station.

CORAM : SANDEEP K. SHINDE J.
DATE : 1st FEBRUARY, 2021.

P.C. :-

Heard.

1. It is an application for suspension of sentence.
2. Pending appeal, learned Additional Sessions Judge convicted the appellant for the offences punishable under Sections 393 and

394 of the Indian Penal Code, 1860 and sentenced to suffer rigorous imprisonment for two years and three years respectively by judgment and order dated 27th January, 2020. Soon thereafter, the learned Sessions Court suspended the sentence under Section 389 (3) (i) of the Code of Criminal Procedure, 1973.

3. Counsel for the Appellant has produced before me a 'Roznama' which shows the order of suspending the sentence was extended for a period of one month. It is submitted thereafter the matter could not be taken up due to lockdown.

4. Thus, in view of the facts of the case and sentence being a short term sentence, it is accordingly suspended and hence the following order.

5. Pending Appeal No. 224/2020, Appellant Mukesh Ramnayan Gupta @ Chutka is directed to be released on bail on same terms and conditions as he was released pending trial by the learned trial Court with fresh bond and sureties.

6. The appellant shall report to the concerned Police Station,

once in a month i.e. 2nd Monday of each month, commencing from 8th February, 2021 between 11 am. to 01 pm. till the appeal is taken up for final hearing.

7. Application is allowed and disposed of.

(SANDEEP K. SHINDE, J.)