

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.979 OF 2020
IN
CRIMINAL APPEAL NO.874 OF 2018

Mahammad Kalin Mehamood Hasan Shaikh @ Mohammad Kalim Mohammad Hasan Shaikh	Applicant
versus	
The State of Maharashtra	Respondent

Mr.Aditya Bapat, Adv. For applicant.
Mr.S.R.Agarkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 26th August 2021

PC :

1. This is second application for suspension of sentence and grant of bail. The previous application was rejected by this Court vide order dated 8th March 2019. The applicant is convicted for offences under Sections 376 and 354 of Indian Penal Code and under Sections 3,4 and 8 of Protection of Children from Sexual Offences Act, 2012 and sentenced to rigorous imprisonment for seven years.

2. Learned counsel for applicant submitted that the applicant is in custody for a period of about three years and five months and is suffering from heart ailment. Previous application was rejected by order dated 8th March 2019, however, thereafter the applicant has undergone sufficient period of sentence. Hence, on this ground, the sentence of imprisonment may be suspended and bail may be granted to applicant.

3. The previous application was rejected on merits. Considering the fact that applicant is in custody, preparation of paper book is expedited. As soon as paper book is ready, Criminal Appeal No.874 of 2018 be listed for final hearing. Interim Application stands rejected and disposed of.

(PRAKASH D. NAIK, J.)

MST