

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**6 CRIMINAL APPLICATION NO.1679 OF 2022
IN APEAL/373/2022 WITH APEAL/373/2022 WITH
APEAL/483/2022**

**SADDAM AYUB PATHAN
VERSUS
THE STATE OF MAHARASHTRA**

Mr. S. S. Thombre, Advocate h/f Mr. C. C. Deshpande,
Advocate for the applicant
Mr. P. G. Borade, APP for the respondent/State

**CORAM : R. G. AVACHAT &
R. M. JOSHI, JJ.
DATED : 14th NOVEMBER, 2022**

PER COURT :-

1. Heard learned counsels for both sides.
2. The applicant is undergoing imprisonment for short term sentence. There is no likelihood of taking this appeal for final hearing in near future. In the facts and circumstances of the case, there is no reason to deny suspension of substantive sentence. In the result substantive sentence imposed upon applicant by impugned judgment deserves to be suspended, pending appeal. Hence the order.

ORDER

- (i) Criminal Application is allowed.
- (ii) Pending the appeal, the substantive sentence of imprisonment imposed by the trial Court is suspended. The applicant be released on bail on his executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.
- (iii) Bail before the trial Court.

(R. M. JOSHI, J.)

(R. G. AVACHAT, J.)

ssp