

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

**CRIMINAL APPLICATION NO.3385 OF 2022
IN
CRIMINAL APPEAL NO.744 OF 2022**

**TANVIR ABDULKADIR SHAIKH
VERSUS
THE STATE OF MAHARASHTRA**

....
Mr. K.N. Shermale, Advocate for the Appellant
Mr. S.P. Deshmukh, APP for Respondent/State
....

**CORAM : SHRIKANT D. KULKARNI, J.
DATE : 07 OCTOBER 2022**

PER COURT:-

. It is an application for suspension of sentence and bail moved by the appellant/original accused.

2. Heard Mr. K.N. Shermale, learned counsel for the appellant and Mr. S.P. Deshmukh, learned APP for respondent/State.

3. It is revealed during the course of argument that the appellant was on bail during the trial. Even after passing of the order of conviction, he has been released on bail by suspending the sentence at the hands of the trial Court. The appellant seems to have been convicted by the learned

Additional Sessions Judge, Sangamner for the offences punishable under Sections 353, 332 and 323 of the Indian Penal Code, and the maximum sentence awarded against the appellant is for six months. There are no extraordinary circumstances to keep the appellant behind the bars. There is no chance to take up this appeal for final hearing in near future. Under these circumstances, it would be just and proper to allow this application. Hence, the following order.

ORDER

- (i) The application is hereby allowed.
- (ii) The substantive sentence passed in Sessions Case No. 75 of 2019 by the Additional Sessions Judge, Sangamner is hereby suspended till the final decision of the appeal.
- (iii) The appellant/accused shall be released on bail on his furnishing P.R. bond of Rs.15,000/- with one or two solvent securities of the like amount on the following conditions.
 - (a) The applicant/appellant shall furnish in detail address with their cell numbers with the trial court.

3

- (b) Bail before the trial court.
- (iii) Inform the concerned Court accordingly.
- (iv) The criminal application is disposed of accordingly .

[SHRIKANT D. KULKARNI]
JUDGE

S.P Rane