

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

**INTERIM APPLICATION NO. 408 OF 2022
IN
REVISION APPLICATION NO.82 OF 2022.**

Faruk M. Hussain Kammissioner

...Applicant

Versus

State of Maharashtra

...Respondent

....

Mr. Shriram S. Chaudhari, Advocate for the Applicant.

Mr. S. V. Gavand, APP for the Respondent – State.

**CORAM : PRAKASH D. NAIK, J.
DATE : 14th FEBRUARY, 2022.**

PER COURT:

1. This is an application for suspension of sentence and grant of bail. The applicant is convicted for offence under Section 354 -A (i) of Indian Penal Code (for short “IPC”) and sentenced to suffer imprisonment of one month and to pay fine of Rs.2,000/-. He has been acquitted for offence under Section 504 of IPC vide judgment and order dated 8th September, 2017 passed by learned Judicial Magistrate First Class (Court No.8), Solapur.

2. The appeal preferred by the applicant has been dismissed by the learned Additional Sessions Judge, Solapur by order dated 19th January, 2022. The applicant was on bail

during the trial and during the pendency of appeal. Pursuant to judgment of the appellate Court, the applicant has surrendered before the trial Court today and he has been taken in custody. The revision application has been admitted. Considering the fact that the sentence is of one month and the factual aspect of the matter, this application can be allowed.

3. Hence, I pass the following order:

ORDER

- i. Interim Application No. 408 of 2022 is allowed;
- ii. During the pendency of Criminal Revision Application No. 82 of 2022, sentence of imprisonment imposed by the trial Court and confirmed by the Appellate Court is suspended and the applicant is directed to be released on bail on executing P.R. Bond in the sum of Rs.15,000/- with one or more sureties in the like amount;
- iii. The applicant is permitted to furnish cash bail in the sum of Rs.15,000/- for a period of ten weeks in lieu of surety.
- iv. Interim Application stands disposed of accordingly.
- v. Parties to Act upon authenticated copy of this order.

(PRAKASH D. NAIK, J.)