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

**INTERIM APPLICATION NO.4056 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.417 OF 2022**

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Shaikh Shafi Najmoddin Mulla ... Applicant
V/s.
The State of Maharashtra ... Respondent

Mr. M.M. Sandhyanshiv for the applicant.

Mr. A.R. Patil, APP for the respondent/State.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 2, 2022

PC.:

1. This is an application seeking suspension of sentence imposed by the judgment and order dated 26th February 2014 by the learned Judicial Magistrate First Class, Malegaon in SCC No.1236 of 2009 confirmed by the learned Additional Sessions Judge, Malegaon by order dated 28th November 2022 in Criminal Appeal No.12 of 2014.

2. The learned Magistrate has directed the accused to suffer simple imprisonment for a period of two (2) months and to pay a fine of Rs.500/- (Rupees Five Hundred Only) and in default of payment of fine, the applicant to suffer simple imprisonment for the period of 15 days.

3. Considering the nature of offence and the fact that it is unlikely that the criminal revision application will be decided in near future, the applicant has made out a case for suspension of the sentence. Hence, following order:

a) The sentence imposed by the judgment and order dated 26th February 2014 passed by the learned Judicial Magistrate First Class, Malegaon in SCC No.1236 of 2009 confirmed by the learned Additional Sessions Judge, Malegaon by order dated 28th November 2022 in Criminal Appeal No.12 of 2014 is suspended;

b) The applicant shall be released on bail on furnishing cash surety in the amount of Rs.5,000/- (Rupees Five Thousand Only);

c) The applicant shall furnish P.R. Bond in the sum of Rs.5,000/- (Rupees Five Thousand Only) and one surety in the like amount within a period of three (3) weeks thereafter.

4. The interim application is disposed of in above terms.

(AMIT BORKAR, J.)