

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL REVISION APPLICATION NO.267 OF 2022

Sheikh Nabi Sheikh Mehboob

Versus

State of Maharashtra, through P.S.O., P.S. Sevagram, Tahsil and District Wardha

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Mahesh Rai, Advocate for applicant

Shri N.R. Rode, APP for the State / non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 20.10.2022.

1. Heard.
2. **Admit.**
3. Call for the record and proceedings.
4. The learned A.P.P. waives service of notice for the non-applicant/State.

CRIMINAL APPLICATION NO.381 OF 2022

5. This is an application for suspension of sentence and for grant of bail.
6. The applicant was convicted for the offence punishable under Section 354 of the Indian Penal Code and sentence to suffer Rigorous

Imprisonment for a period of one year and to pay fine of Rs.5,000/- and in default, to suffer Simple Imprisonment for one month.

7. The applicant was further convicted for the offence punishable under Section 354-A of the Indian Penal Code and sentence to suffer Rigorous Imprisonment for a period of one year and to pay fine of Rs.5,000/- and in default, to suffer Simple Imprisonment for one month.

8. In that view of the matter and after going through the impugned judgment, I am of the opinion that it is necessary to re-look the matter afresh. There is no likelihood that this matter would come up for final hearing in near future. Accordingly, I pass the following order:

i) The application is **allowed** and the sentence imposed on the applicant by the learned Judicial Magistrate First Class, Court No.4, Wardha, in Regular Criminal Case No.366 of 2016 vide judgment dated 25.09.2019, is suspended till the disposal of the revision application.

ii) It is directed that the applicant-Sheikh Nabi Sheikh Mehboob shall be released on bail on his furnishing PR Bond of Rs.10,000/- with a solvent surety in the like amount.

The application is **disposed of** accordingly.

[JUDGE]