

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2470 OF 2023
IN APEAL/604/2023

SALIM AKBAR SHAIKH
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Appellant : Mr. M. A. J. Shaikh
APP for Respondents: Mr. G. O. Watamwar
...

CORAM : R.M. JOSHI, J

DATE : JULY 18, 2023

PER COURT :

1. Learned Counsel for the Applicant states that the Applicant is convicted for the offence punishable under Section 353 of IPC and was directed to suffer RI for one year with fine. He further submits that if the Applicant is taken in custody for undergoing the sentence, the present Appeal shall become infructuous.

2. This Court finds substance in the contention of learned Counsel for the Applicant owing to the pendency of the matters in this Court. Hence, the order:

O R D E R

(i) Application is allowed.

- (ii) The substantive sentence imposed on the Applicant by the impugned order dated 20.06.2023 passed by District Judge-1 and Additional Sessions Judge, Ahmednagar is suspended pending this Appeal.
- (iii) Applicant be released on bail on executing P.R. bond of Rs. 15,000/- (Rupees Fifteen Thousand Only) with one solvent surety in the like amount.
- (iv) Bail before trial Court.

(R.M. JOSHI, J.)

Malani