

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

CRIMINAL APPLICATION NO. 4373 OF 2022  
IN  
CRIMINAL APPEAL NO. 984 OF 2022

SAYYED SHAKIRA BEGUM AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA

...

Advocate for Appellants : Mr. Bagal Suraj R.  
APP for Respondent/State : Mr. P. M. Kulkarni

...

**CORAM : KISHORE C. SANT, J.**  
**DATE : 6<sup>th</sup> JANUARY 2023.**

**Per Court :**

Heard for sometime.

1. This is an application by applicants praying for release on bail and for suspension of substantive sentence imposed vide judgment and order dated 09.12.2022 passed by the learned Additional Sessions Judge, Ambajogai, District Beed in Sessions Case No.75/2015. The applicants are convicted for the offences punishable under Sections 498-A, 323 and 506 read with 34 of the Indian Penal Code and they are

directed to suffer rigorous imprisonment (R.I.) for a period of three years and to pay fine of Rs.2000/- each, in default to suffer further R.I. for a period of two months for the offence punishable under Section 498-A of IPC. The applicants are further sentenced for both offences punishable under Sections 323 and 506 of IPC separately, to suffer R.I. for the period of one year and to pay fine of Rs.1000/- each, in default to suffer further R.I. for a period of one month.

2. It is submitted by the learned Advocate for the applicants that during the trial, the applicants were on bail and there is no allegation of misuse of liberty and they have already deposited fine amount on the date of judgment itself in the trial Court. He further submits that sentence is a short sentence and it is already suspended till the appeal period. Since the appeal is not likely to be heard in near future, he prays for release on bail and suspension of sentence.

3. Looking to the conduct of the applicants that though they were on bail during the trial, there is no allegations of misuse of liberty. It further needs to be considered that the appeal is not likely to be heard

in near future. Considering all these, this Court finds that it would be desirable to allow the application. Hence the following order.

### **ORDER**

- (i) The applicants shall be released on bail on the same terms and conditions as they were granted bail by the trial Court during the trial, till hearing of the appeal.
- (ii) The substantive sentence awarded by the learned Additional Sessions Judge, Ambajogai, District Beed in Sessions Case No. 75/2015 by judgment and order dated 09.12.2022 stands suspended till appeal is finally decided.
- (iii) The applicants shall furnish their residential address and mobile numbers to the concerned police station. If there is any change in their address or mobile numbers, they shall immediately inform to the concerned police.
- (iv) With this, the Criminal Application is disposed off.

**[ KISHORE C. SANT, J.]**

*Najeb.*