

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

**907 CRIMINAL APPLICATION NO.4147 OF 2023
IN APEAL/1090/2023**

**ABID SHAIKH TASLIM PINJARI
VERSUS
THE STATE OF MAHARASHTRA**

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Mr. V.B. Patil, Advocate for the applicant.
Mr. R.B. Bagul, A.P.P. for the respondent – State.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 9th November 2023.

ORDER:-

1. Heard.
2. Issue notice to the respondent. Learned A.P.P. waives service for respondent – State.
3. Heard rival submissions.
4. The applicant, who is original accused No.5, is seeking suspension of his substantive sentence of imprisonment vide judgment and order dated 13.10.2023 in Sessions Case No. 6/2017 during the pendency of this appeal.
5. The learned APP strongly opposed the application on the ground that the trial Court has convicted the present applicant after considering the entire evidence on record.
6. However, it seems that applicant was on bail during the trial and he did not misuse the same. Moreover, he has

already deposited the fine amount and therefore, considering his sentence of imprisonment for a fixed term, he can be released on bail by suspending his sentence of imprisonment. Hence, following order is passed.

ORDER

- (i) The application is hereby allowed and substantive sentence of imprisonment imposed upon this applicant for the offences punishable under Sections 306, 498-A and 201 of the Indian Penal Code in Sessions Case No. 6/2017 under judgment and order dated 13.10.2023, is hereby suspended during the pendency of this appeal.
- (ii) Applicant be released on bail on execution of his P.R. bond of Rs. 25,000/- with one or more solvent sureties in the like amount.
- (iii) Bail in lower Court.
- (iv) Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)