

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1204 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.155 OF 2022

Amir Maramsaheb Shaikh

Applicant

versus

The State of Maharashtra

Respondent

Ms.Sakshi S. Kadam, Ms.Gargi Joshi i/by Mr.Kedar J. Patil, Advocate
for Applicant.

Ms.Alpa Jhaveri, Advocate for Respondent no.2.

Ms.PN.Dabholkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 12th June 2023

PC :

1. Vide order dated 12th April 2023 interim relief was granted to applicant by suspending sentence of imprisonment.
2. Learned advocate for applicant submitted that judgment passed by subordinate Court suffers from serious infirmities. There is dispute about identity of accused. There are serious discrepancies in the evidence adduced by prosecution.
3. Learned APP and advocate for respondent no.2 submitted that specific overt act has been attributed to the applicant by victim. The victim has stated that applicant was the person who was watching her from the upper side of bathroom while victim was taking bath. Apparently mere ground urged by the applicant is that he has been implicated on the ground of mistaken identity. It is also urged that there was no identity parade. The sentence imposed by the Trial Court is for a period of one year.

4. In the circumstances, interim relief granted vide order dated 12th April 2023 is confirmed and interim protection shall continue till final disposal of Criminal Revision Application.
5. Interim Application No.1204 of 2022 is allowed and disposed off in the above terms.

(PRAKASH D. NAIK, J.)

MST