

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1840 OF 2023
IN
CRIMINAL APPEAL NO. 578 OF 2023**

Tahsina Abdul Muttalib ...Applicant
Versus
The State Of Maharashtra ...Respondent

Mr. Nikhil G Hire, Advocate for the Appellant.
AGP/ APP for the Respondent-State.

**CORAM : NITIN B. SURYAWANSHI, J.
DATE : 2nd NOVEMBER 2023**

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PC.:

1. This is an application for suspension of sentence and grant of bail during the pendency of Criminal Appeal preferred by applicant challenging the judgment of conviction.

2. Applicant is convicted by the Additional Sessions Judge, Malegaon under Sections 420 read with 34 of the Indian Penal Code, 1860 in Sessions Case No. 159 of 2016 and sentenced to suffer RI for seven years and to pay fine of Rs. 11,00,000/-.

3. Applicant is a lady and she has no criminal antecedents. Sentence imposed on her is a short term sentence. In the

light of decision of the Apex Court in the case of Bhagwan Rama Shinde Gosai and Ors. Vs. State of Gujarat (1999) SCC (Cri.) 553, applicant is entitled for relief. In the result, application is allowed.

(i) Substantive sentence of imprisonment imposed vide judgment and order dated 3rd March 2023 in Sessions Case No. 159 of 2016 is suspended during the pendency of the appeal.

(ii) Applicant-Tahsina Abdul Muttalib be released on bail on executing PR bond in the sum of Rs. 15,000/- with one surety in the like amount.

(iii) Applicant shall attend concerned police station on first Sunday of every Month between 10:00 am to 12:00 noon.

(iv) Applicant shall furnish her residential address and cellphone number with the concerned Police Station.

(NITIN B. SURYAWANSHI, J.)