



IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD

912 CRIMINAL APPLICATION NO. 22 OF 2024
IN APPEAL/9/2024

SHAIKH SHAHABUDDIN GULAM MOHIYODDIN AGAJ
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Shaikh Mujtaba Gulam Mustafa
APP for Respondent-State : Mr. S. M. Ganachari
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CORAM : ABHAY S. WAGHWASE, J.
DATED : 04 JANUARY 2024

PER COURT :-

1. This is an application under Section 389 of the Code of Criminal Procedure.
2. Heard learned Advocate for the appellant as well as the learned APP.
3. Applicant/appellant has been convicted and sentenced to a short term of three (3) years rigorous imprisonment. However, learned trial Judge seems to have suspended the sentence till the appeal period is over. Said period comes to an end on 05.01.2024. Having considered the nature of allegations and the fact that the

appellant was on bail during trial itself, there is no reason to refuse relief of suspension of sentence as prayed. Therefore, substantive sentence is hereby suspended till the appeal is heard and decided.

4. The application is allowed. The applicant shall be released on the same bail with fresh bonds. Bail before the trial court.

[ABHAY S. WAGHWASE, J.]

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