

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

**INTERIM APPLICATION NO.4575 OF 2023  
IN  
CRIMINAL APPEAL NO.100 OF 2020**

Afzal Jalaluddin Qureshi ..Applicant/Appellant  
Versus  
The State of Maharashtra & Anr. ..Respondents

Mr. Taraq Sayed a/w Ashwini Achari, for the Applicant/Appellant.  
Mrs. M. R. Tidke, APP for the Respondent/State.  
Mr. Sameer Mhatre, for the Respondent No.2.

**CORAM : KISHORE C. SANT, J.**

**DATE : 7<sup>th</sup> MARCH, 2024**

**PC.**

1. This Application is moved for suspension of sentence and release of accused/Applicant on bail. His earlier Application came to be rejected by order dated 14<sup>th</sup> June, 2022 on merits.

2. Today, this Application is pressed only on the ground that out of the sentence of ten years, Applicant has already undergone more than six and half years sentence in jail. He came to be arrested on 12<sup>th</sup> November, 2017. Learned advocate also produces on record the orders passed by the Hon'ble Apex Court granting bail to the accused persons on completing substantial period in jail where the sentence was ten years.

3. Learned advocate for the Respondent No.2 vehemently opposes the Application. He has taken this Court to the evidence of PW-2 i.e. victim.

4. This Court finds that looking to the allegations and the nature of evidence, it is not a fit case to grant bail merely for the reason that the Applicant has suffered considerable sentence. This Court finds that the Appeal can be fixed for final hearing.

5. The Application stands dismissed.

6. Fix the Appeal for final hearing on board dated 23<sup>rd</sup> April, 2024.

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