

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

926 CRIMINAL APPLICATION NO. 3550 OF 2025
IN APEAL/707/2025

Iqbal Ahmed Shafi Ahmed

VERSUS

The State Of Maharashtra

...

Mr. Dinesh D. Daud a/w Mr. Ashraf R. Shaikh (Jahagirdar) h/f

Mr. Mr. S. G. Bobade - Advocate for Applicant

Mr. B. B. Bhise - APP for State

...

WITH
CRIMINAL APPEAL NO. 707 OF 2025

...

CORAM : NEERAJ P DHOTE, J.

DATED : 30TH SEPTEMBER, 2025

PER COURT : -

1. This is an Application for Suspension of Substantive Sentence imposed upon the Applicant *vide* the Judgment and Order dated 01.06.2024 passed by the learned Special Judge (NDPS) & Addl. Sessions Judge-3, Jalna, in Special Case No. 250 of 2022, by which the Applicant has been convicted for the offence punishable under Section 20(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985, and sentenced to suffer rigorous imprisonment for a period of ten years and to pay a fine of Rs. 1,00,000/-, in default, to undergo rigorous imprisonment for one year.

2. Heard the learned Advocate for the Applicant and the learned APP for the State. Perused the papers.

3. On receipt of secret information by the First Informant, who was working in the Police Department, one car was intercepted on the Jalna to Revgaon road. The contraband (Ganja) weighing 65 Kg. 720 gms., worth Rs. 12,64,500/- was seized from the said four-wheeler. The Applicant/Appellant was one of the occupants of the said vehicle. After the investigation, the charge-sheet came to be submitted, and after the Trial, the accused persons came to be convicted as above.

4. The sentence of co-accused Mahadev Harkal and Ganesh Mendke has been suspended by this Court *vide* orders dated 26th August, 2025 passed in Criminal Application No. 3127 of 2025 in Criminal Appeal No. 571 of 2024, and 30th July, 2025 passed in Criminal Application No. 4468 of 2024 in Criminal Appeal No. 571 of 2024. The Applicant is behind the bars for a little over three (3) years. On the ground of parity, I proceed to pass the following order : -

ORDER

[i] The Application is allowed.

[ii] The sentence imposed upon the Applicant by the learned Special Judge (NDPS) & Addl. Sessions Judge-3, Jalna, *vide* the Judgment and Order dated 01.06.2024 passed in Special Case No. 250 of 2022, is hereby suspended till the

final decision of the Appeal. In the meantime, the Applicants-Accused be released on bail on his furnishing personal bond of Rs.25,000/- [Rupees Twenty Five Thousand], with one surety in the like amount.

- [iii]** The Applicant shall cooperate in early disposal of the Appeal.
- [iv]** The Applicant/Appellant shall furnish detailed residential address and contact number to the concerned Police Station and shall not change the same without intimating the concerned Police Station.

[NEERAJ P. DHOTE]
JUDGE

SG Punde