

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 4972 OF 2024

IN

CRIMINAL APPEAL NO. 1266 OF 2024

Mohammad Hussain Abdul Sattar @ Mohsin

... Applicant

Versus

CBI-ACB Mumbai And Ors.

... Respondents

.....

Mr. Chinmay Sawant a/w. Mr. Anish Desai, Advocates for the Applicant.

Smt. Poonam P. Bhosale, APP for the State.

Mr. K.S.Patil a/w. Ms. Saili Dhuru, Advocates for Respondent No.1.

CORAM : SHIVKUMAR DIGE, J.

DATED : 4th MARCH, 2025.

P C. :

1. By this application, applicant is seeking suspension of sentence.
2. It is contention of learned counsel for the applicant that applicant has been convicted for offence punishable under Sections 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act vide Section 248(2) of Code of Criminal Procedure, and sentenced to undergo rigorous imprisonment for a term of 1 year and shall pay a fine of Rs.1,000/- in default, to undergo simple imprisonment for 1 month. The applicant is convicted for the offences punishable under Section 120 B read with 420 of Indian Penal Code vide Section 248(2) of Code of Criminal Procedure and

sentenced to undergo rigorous imprisonment for a term of 1 year and shall further pay a fine of Rs.1,000/-, in default to undergo simple imprisonment for 1 month. The learned Sessions Court has suspended the sentence during the appeal period and has granted interim bail to the Applicant. Hence requested to allow the application.

3. Learned APP strongly objected to allow the application.

4. I have heard both the learned counsel. The sentence imposed on the applicant is short term sentence. During the trial he was on bail. He has not misused his liberty. It may take time to dispose of the appeal. Considering these facts, I pass following order:

ORDER

- (i) The sentence imposed on the applicant is hereby suspended till disposal of the appeal, subject to the applicant furnishing PR. bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (ii) The bail bond to be furnished before the learned Sessions Judge.
- (iii) The Criminal Interim Application is disposed of.

(SHIVKUMAR DIGE, J.)