

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 5018 OF 2024

IN

CRIMINAL APPEAL NO. 1282 OF 2024

Arbaz @ Pakoda Ayub Shaikh

... Appellant

Versus

State of Maharashtra

... Respondent

.....

Mr. Mihir N. Kasliwal i/b. Mr. Rahul Kasliwal, Advocate for the Appellant.

Mr. Pankaj P. Deokar, APP for the State.

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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 the applicant has been convicted for offence punishable under Section 353 of Indian Penal Code and sentenced to suffer simple imprisonment of one year and to pay fine of Rs.3,000/- and in default of payment of fine to suffer simple imprisonment of one month; the applicant is convicted for the offence punishable under Section 323 of Indian Penal Code and has been sentenced to suffer simple imprisonment of two month and to pay fine of Rs.1,000/- and in default of payment of fine, to suffer simple imprisonment of 15 days and the applicant is also convicted for the offence

punishable under Section 506(1) of Indian Penal Code and has been sentenced to suffer simple imprisonment of one month and to pay fine of Rs.1,000/- and in default of payment of fine, to suffer simple imprisonment of 15 days. The learned Additional 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 P.R. 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 Additional Sessions Judge.
- (iii) The Criminal Interim Application is disposed of.

(SHIVKUMAR DIGE, J.)