

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 496 OF 2025
AND

INTERIM APPLICATION NOS. 4697 AND 4698 OF 2023
IN
CRIMINAL APPEAL NO. 1408 OF 2023

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Rintu Nazir Hussain Shaikh
V/s.

...Applicant/Appellant

The State of Maharashtra

...Respondent.

.....
Mr. Ashok M. Saraogi a/w. Mr. Priyatosh R. Tiwari for the
Applicant/Appellant in all matters
Mr. V. N. Sagare, APP for the Respondent/State.
HC Kailas Sakharam Chougule, Anti Extortion Cell, DCB, CID,
Mumbai.

.....
CORAM : N.R. BORKAR, J.
DATE : 26.08.2025.

P.C. :

1. By these applications, the applicant is seeking suspension of sentence and grant of bail during pendency of the above appeal filed by him against the judgment and order dated 8th November 2023 passed by the learned Additional Sessions Judge, Mumbai in Sessions Case No.2068 of 2019, by which, the learned Sessions Judge has convicted the applicant for the offence punishable under Sections 489-B and 489-C of the Indian Penal Code (for short "IPC") and sentenced him to suffer rigorous imprisonment for a term of 10 years and to pay fine of Rs.10,000/-.

2. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

3. Learned counsel for the applicant submits that the applicant has a good case on merits. It is further submitted that till date the applicant has undergone actual imprisonment of 6 years and 8 months, that is more than half of the sentence. It is submitted that there are no other criminal antecedents.

4. On the other hand, learned APP for the respondent/State submits that the applicant is convicted for the serious offence in relation to counterfeit currency notes. It is submitted that considering the said fact, the sentence may not be suspended and the applicant may not be released on bail.

5. The fact that the applicant has undergone more than half of the sentence is not disputed. Considering the pendency of criminal appeals, the appeal filed by the applicant is not likely to be taken up for final hearing in near future. I am therefore, inclined to suspend the sentence and release the applicant on bail. In the result, the following order is passed:

ORDER

a] The Applications are allowed.

b] The substantive sentence imposed by the trial Court upon the applicant by the judgment and order dated 8th

November 2023 in Sessions Case No. 2068 of 2019 is hereby suspended during pendency of the appeal.

c] The applicant shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.

d] The applicant shall attend the concerned police station once in a month, i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. during pendency of the appeal.

[N.R.BORKAR, J.]