

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 523 OF 2025
ALONGWITH
INTERIM APPLICATION NO. 1860 OF 2025

Sushil Khimji Hilot And Ors.

...Appellants

Vs.

The State of Maharashtra
and Anr.

...Respondents

Mr. Shailesh Kharat	Advocate for the Appellants
Ms. R. S. Tendulkar	APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 25th JUNE 2025

P. C. :-

1. All the Appellants are convicted for the offence punishable under Sections 353, 504 read with 34 of the Indian Penal Code. The sentence is as follows:-

- (i) The sentence is rigorous imprisonment for one year and fine of Rs. 10,000/- each and in case of default, further imprisonment for two months for the offence punishable

under Section 353 read with 34 of the Indian Penal Code.

- (ii) The sentence is rigorous imprisonment for six months and fine of Rs. 5,000/- each and in case of default, further imprisonment for one month for the offence punishable under Section 504 read with 34 of the Indian Penal Code.

The amount of fine is paid.

2. According to learned Advocate Mr. Kharat, there are variances in the testimony of the witnesses and in the impugned judgment there are no reasons. He requested to hear this Appeal finally, at an admission stage.
3. Learned APP is handicapped in arguing this Appeal, because she is not having the papers. Let this issue be decided on the next date.
4. After conviction, the substantive sentence is suspended by the trial Court. They were on bail during the trial. They are permanent resident of Mumbai. They assure to co-operate the hearing of the appeal. In view of that following order is passed:-

ORDER

- (i) The substantive sentence of the imprisonment is suspended during pendency of the Appeal subject to the

following conditions:-

(a) Applicants/Appellants are released on bail on furnishing Personal bond and Surety bond of Rs. 15,000/- each before the trial Court within four weeks from today.

5. Accordingly, Interim Application is disposed of.
6. Appeal be kept on **23rd July 2025**.

[S. M. MODAK, J.]