

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO. 608 OF 2025
ALONGWITH
INTERIM APPLICATION NO. 2123 OF 2025**

Shamim Sharif Qureshi And Anr. ...Appellants
Vs.
The State of Maharashtra ...Respondent

Mr. Ramprasad V. Gupta	Advocate for the Appellants
Mr. H. J. Dedhia	APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 20th JUNE 2025

P. C. :-

1. Heard learned Advocate Shri Gupta for the Appellants and learned APP Shri Dedhia for the Respondent-State.

2. Both Appellants were convicted by Addl. Sessions Judge, City Civil Court, Greater Mumbai, for offence punishable under Section 326 read with 34 of the Indian Penal Code. The sentence is as follows:-

(a) Rigorous imprisonment for three years and fine of Rs. 5,000/-.

The fine is already paid.

3. The contention is even though the injured has not supported, learned Judge convicted the Appellants on the basis of the CCTV footage and there was no legally permissible certificate.

4. Admit
5. Call record and proceedings.
6. Learned APP waives notice on behalf of the Respondent-State.

INTERIM APPLICATION NO. 2123 OF 2025

7. During pendency of the trial, Appellants/Applicants were on bail. They are permanent resident of Mumbai. It is also counter case. They undertake to co-operate the Court for hearing the appeal. The sentence is already suspended by the trial Court. Hence, the order:

ORDER

- (a) The substantive sentence is suspended during the pendency of the appeal on the following conditions:-
 - (i) They are released on bail on furnishing Personal bond and Surety bond of Rs. 15,000/- (Rupees fifteen thousand) each.
 - (ii) Surety be furnished within four weeks before the trial Court.
 - (iii) They are directed to give attendance to the D.N. Nagar Police Station on 1st Monday of the month of July and November for a period of two years.
8. In view of the above, Interim application stands disposed of.

[S. M. MODAK, J.]