

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

**INTERIM APPLICATION NO.3029 OF 2025
IN
CRIMINAL APPEAL NO. 611 OF 2025**

Ajij Ahmed Maqsood Ahmed Khan ...Applicant

V/s.

The State of MaharashtraRespondent

Adv. Sherali S. Khan, Advocate for the Applicant.
Mr. V. N. Sagare, APP for the Respondent-State.

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

P.C. :

1. By this application the applicant is seeking suspension of sentence and grant of bail during the pendency of the Criminal Appeal No. 611 of 2025 filed by him against the judgment and order dated 06.06.2025 passed by the Additional Sessions Judge, Mumbai, in Sessions case No. 539 of 2016, by which the Additional Sessions Judge has convicted the applicant for the offence punishable under Section 304(B) read with Section 34 of the Indian Penal Code and sentenced him to suffer rigorous imprisonment for 10 years.

2. I have heard the learned counsel for the applicant, the learned APP for the respondent-State and perused the evidence.

3. The learned counsel for the applicant submits that the applicant has good case on merits. It is submitted that afterthought allegations of demand are made against the applicant. It is submitted that the applicant is an engineer and during the relevant time, he was working with KPC projects limited as a construction manager. It is submitted that the applicant was on bail during the trial.

4. The learned APP for the respondent-State submits that the applicant is convicted for the serious offence of dowry death. It is submitted that considering the said fact, the sentence may not be suspended and the applicant may not be released on bail.

5. I have perused the evidence on record. It appears that there was a dispute between the deceased and the wife of her brother. The possibility of the deceased committing the suicide due to said dispute cannot be ruled out. In that view of the matter, I am inclined to suspend the sentence and release the applicant on bail. In the result, the following order is passed:

ORDER

- a] The Application is allowed.
- b] The substantive sentence imposed by the trial Court is hereby suspended and the Applicant be released on bail on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.
- c] The application is disposed of in the aforesaid terms.

[N.R.BORKAR, J.]