



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO. 16 OF 2025 IN
CRIMINAL APPEAL NO. 15 OF 2025

Mohd. Rasool s/o Mohd. Ramjan Ansari Vs State Of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Syed Salman Ali, counsel for applicant/appellant

Mr. M.J.Khan, counsel for respondent/state.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 10/01/2025.

1. By this application, the appellant is seeking suspension of sentence and releasing him on bail.
2. The appellant was prosecuted for the offence punishable under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985. After recording the evidence, the learned Special Court is pleased to convict the present appellant and sentence him to suffer R.I. for one year and fine of Rs. 4,000/-.
3. Learned counsel for the appellant submitted that the fine is already deposited. It is further submitted that the learned trial Court has erroneously convicted the appellant, and the appellant has many arguable points in the present appeal, but the appeal would take its own time for its final disposal. In the meantime, if the sentence is executed, the appeal would become infructuous.

4. Learned APP strongly opposed the said application on the ground that the appeal itself is devoid of merits, and therefore the application deserves to be rejected.

5. After hearing both sides and on perusal of the impugned judgment, from which the learned counsel for the appellant pointed out that he has many arguable points, but the appeal would take its own time for its final disposal, and considering the punishment imposed is of a limited period. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

- a] The criminal application is **allowed**.
- b] The execution of sentence passed in Special NDPS Case No. 34/2019 is hereby suspended till disposal of the appeal.
- c] The appellant shall be released on bail on executing PR. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- d] The appellant shall not indulge himself in similar type of activities. On registration of the single incident, the bail granted to the present appellant deserves to be cancelled.

The criminal application is **disposed of**.

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1. Heard.
2. **Admit.**
3. Call for record and proceedings.
4. Mr. M.J.Khan, learned APP waives service of notice on behalf of respondent/State.
5. Appeal be listed for final disposal after preparation of paper-book.

[URMILA JOSHI-PHALKE, J.]