



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPEAL (APEAL) NO. 99 OF 2025

Sk. Farukh S/o. Sk. Rabbani

.vs.

State of Maharashtra, through PSO PS Amdapur, Dist. Buldana

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr A. J. Thakkar, Advocate for the appellant
Ms Trupti Udeshi, APP for the respondent/State

CORAM : G.A. SANAP J.

DATE : FEBRUARY 20, 2025

Heard.

2. **ADMIT.**

3. Learned APP waives service of notice on behalf of respondent/State.

4. Call for record and proceedings.

CRIMINAL APPLICATION (APPA) NO.176 OF 2025

5. Heard.

6. This is an application for suspension of substantive sentence. Heard the learned Advocate for the appellant and learned APP for the State. Perused the record and proceedings.

7. The appellant/accused is convicted for the offences punishable under Sections 332 and 353 of the

Indian Penal Code (for short 'the IPC') and he is sentenced to suffer simple imprisonment for three months and directed to pay a fine of Rs.2000/-, in default of payment of fine further directed to undergo simple imprisonment for one month for each of the offences punishable under Sections 332 and 353 of the IPC.

8. It is stated that during the pendency of the trial the appellant was on bail. There is no allegation of misuse of liberty by him during the pendency of the trial. It is pointed out that the learned Sessions Judge was pleased to suspend the substantive sentence. It is undisputed that the appellant has deposited the fine amount. In the facts and circumstances, the application is **allowed**.

9. The substantive sentence awarded by the learned Additional Sessions Judge, Buldhana in Sessions Case No. 23 of 2023 vide judgment and order dated 17.12.2024 shall remain suspended during the pendency of this appeal.

10. Appellant- **Sk. Farukh S/o. Sk. Rabbani** be released on bail on furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with surety in the like amount.

11. Bail before the trial Court.
12. The criminal application stands **disposed of**,
accordingly.

(G. A. SANAP, J)

Namrata