



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

**CRIMINAL APPLICATION (APPA) NO. 916 OF 2025**

**IN**

**CRIMINAL APPEAL NO. 512 OF 2009**

( Farukh Sheikh Shamim Sheikh ..vs.. State of Maharashtra, through PSO Rajura PS, Chandrapur )

Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders

Court's or Judge's orders

Mr. A.R. Wagh, Counsel for the applicant/appellant,  
Mr. Amit Chutke, Addl.P.P. for the respondent/State.

**CORAM : NIVEDITA P. MEHTA, J.**

**DATE : 06-11-2025**

Vide order dated 05.01.2010, this Court had suspended the substantive sentence imposed upon the applicant for the offence punishable under Section 395 of the Indian Penal Code, wherein the applicant was sentenced to suffer rigorous imprisonment for five years. However, the applicant failed to furnish surety as directed in the said order.

2. Consequent thereto, this Court issued a non-bailable warrant against the applicant. It was subsequently reported that the applicant was not residing at the address provided. The learned Additional Public Prosecutor was, therefore, directed to obtain instructions regarding the names of the sureties. Vide order dated 13.10.2025, considering the execution report of the non-bailable warrant, this Court noted that the applicant was not residing at the said address and accordingly issued a bailable warrant against Shaikh Shamim Shaikh Din Mohammad, who had stood as surety for the applicant.

3. Today, learned Counsel Mr. A.R. Wagh appears on behalf of the applicant and submits that the said surety, *Shaikh Shamim Shaikh Din Mohammad*, has expired. It is further submitted that the applicant is present before this Court and prays for one week's time to furnish a fresh surety in compliance with this Court's order dated 05.01.2010.

4. Considering the submissions made, the request for time is allowed. The applicant is granted one week's time to furnish surety as per the order dated 05.01.2010. The non-bailable warrant issued against the applicant stands cancelled. However, it is made clear that if the surety is not furnished within the stipulated period of one week, the order dated 05.01.2010 suspending the sentence shall stand cancelled automatically.

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List the matter on **17.11.2025** for compliance report.

**(NIVEDITA P. MEHTA, J.)**

*adgokar*