IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3461 OF 2026
IN APEALST/9261/2026

SAMIR MAHEMUD SAYYED
VERSUS
THE STATE OF MAHARASHTRA
....
Mr. D. V. Tele, Advocate for Applicant
Mr. G. O. Wattamwar, APP for Respondent - State
....

CORAM : ABHAY S. WAGHWASE, J.

DATE : 06 October, 2026

PER COURT :-

1. Instant application is for suspension of sentence and grant of bail in consequence to the judgment and order of conviction awarded by learned Special Judge, Kallam, District Osmanabad in Special Case No.29 of 2023 dated 07.05.2026.

2. Learned counsel for applicant submits that the applicant was tried vide above special case and came to be convicted vide above judgment and order for the offence under Section 324 of I.P.C. He has been sentenced to suffer one year imprisonment. According to him, applicant was on bail during

trial. As appeal is of 2026, as much time is required to hear the appeal, relief of suspension of sentence and grant of bail is urged for.

3. Learned APP opposed on the ground that on full fledged trial conviction has been recorded.

4. After considering the above submissions, taking into account the short term sentence of one year imprisonment and that appeal is of 2006, may not be heard in near future, relief as prayed deserves to be granted. Hence, the following order:-

ORDER

(i) Criminal Application stands allowed.

(ii) The substantive sentence imposed on the applicant Samir Mahemud Sayyed by the learned Special Judge in Special Case No. 29 of 2023 dated 07.05.2026 stands suspended till final hearing and disposal of Criminal Appeal Stamp No.9261 of 2026.

(iii) The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen thousand only) with two solvent sureties in the like amount.

(iv) The applicant shall not commit any criminal activity.

(v) The applicant shall remain present before the learned trial Judge once in six months, till final hearing and disposal of the appeal, commencing from the date he tenders bail

papers and thereafter, the trial Judge to fix dates for his subsequent appearances.

(vi) In case of two consecutive defaults on the part of the applicant to remain present before the trial Court, the trial Court to inform this Court about the same and in that eventuality, the prosecution would be at liberty to file an application for cancellation of the bail granted to the applicant.

(vii) Bail before the trial Court.

[ABHAY S. WAGHWASE, J.]

SMS