



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 CRIMINAL APPLICATION NO. 866 OF 2026
IN REVN/73/2026

KHALIL SAIF SAYYAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

.....
Advocate for Applicant : Mr. Shaikh Shoyab
APP for Respondent - State : Mr. N. R. Dayma
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CORAM : ABHAY S. WAGHWASE, J.
DATED : 06 MARCH 2026

PER COURT :

1. This is an application for suspension of sentence and grant of bail on account of conviction recorded by learned Additional Chief Judicial Magistrate and Civil Judge Senior Division, Court No.5, Osmanabad in S.C.C. No.440 of 2015 recording conviction for offence punishable under section 138 of Negotiable Instruments Act and directing sentence of two months.

2. Learned counsel for applicant would point out that, applicant was tried vide above Summary Criminal Case under section 138 of N.I. Act, and on conclusion of the trial, was convicted vide judgment and order dated 21.03.2023 awarding sentence of two months. He further pointed out that, appeal preferred against

the same was also dismissed by learned Additional Sessions Judge, Osmanabad by order dated 11.02.2026 in Criminal Appeal No.08 of 2023. He pointed out that, against the same, present Revision has been preferred and the same is filed recently and would take sufficiently long time to be heard and decided.

3. Learned counsel for applicant makes a statement that in proceedings before both learned trial Court as well as learned First Appellate Court, applicant was on bail. He also makes a statement that, part amount of Rs.96,000/- out of total amount of Rs.2,80,000/-, has been deposited in the trial Court. He undertakes to place receipt of the same on record.

4. After considering the above submissions, the nature of proceedings, quantum of sentence and taking into account the fact that the applicant was on bail before both the courts below coupled with the medical papers of his ailments placed on record, the relief as prayed deserves to be granted. Hence, the following order is passed:

ORDER

- I. Criminal Application stands allowed.
- II. The substantive sentence imposed on the applicant Khalil Saif Sayyad in S.C.C. No.440 of 2015 by the learned Additional

Chief Judicial Magistrate & Civil Judge Senior Division, Osmanabad, on 21.03.2023, which is confirmed by learned Additional Sessions Judge, Osmanabad by order dated 11.02.2026 in Criminal Appeal No.08 of 2023, stands suspended till the final hearing and disposal of Criminal Revision Application No.73 of 2026

- III. The applicant be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety in the like amount.
- IV. The applicant shall not commit any criminal activity.
- V. Bail before the trial court.

(ABHAY S. WAGHWASE, J.)