IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

903 CRIMINAL APPLICATION NO. 1348 OF 2026
IN APPEAL/253/2026

MOHAMMAD KURAM MUBASHIR KADARI ALIAS MOHAMMED QURRAM QUADRI
VERSUS
THE STATE OF MAHARASHTRA
....
Mr. Shaikh Samir Ahmed Saifuddin, Advocate for the Applicant
Ms Saie S. Joshi, APP for the Respondent - State
....

CORAM : ABHAY S. WAGHWASE, J.

DATE : April 17, 2026

PER COURT :-

1. This is an application for suspension of sentence awarded by learned Additional Sessions Judge, Vaijapur, District Aurangabad in Sessions Case No.54 of 2021 (Old RCC No.355 of 2017).

2. The learned counsel for the applicant pointed out that the applicant was tried and also convicted for the offence under Sections 353 and 323 of I.P.C. by virtue of judgment dated 24.02.2026. He further pointed out that against the said

judgment appeal has been preferred before this Court. He further submits that the maximum sentence awarded is one year for the offence under Section 353 of I.P.C. and three months for the offence under Section 323 of I.P.C. and during trial, he was on bail. Fine amount is said to be paid. He further submits that there are no immediate prospects of hearing the appeal in near future. Therefore, he prays for relief of suspension of sentence and grant of bail.

3. The learned APP strongly opposed on the ground that on full fledged trial conviction has been recorded and moreover, there is compensation also awarded in this case.

4. After considering the above submissions, it is emerging that the applicant was tried vide Sessions Case No.54 of 2021 for commission of offence under Sections 353 and 323 of I.P.C. and admittedly, he was convicted for both the offences. Maximum sentence is for one year. Taking into account the statement made that the applicant was on bail during the trial and the fine amount is paid and further taking into account that the appeal is of 2026 and there are no chances of hearing it in near future, the relief deserves to be granted.

O R D E R

(i) Criminal Application stands allowed.

(ii) The substantive sentence imposed on the applicant Mohammad Kuram Mubashir Kadari (Mohammed Qurram Quadri) by the learned Additional Sessions Judge, Vaijapur, in Sessions Case No.54 of 2021 dated 24.02.2026 stands suspended till final hearing and disposal of Criminal Appeal No.253 of 2026.

(iii) The applicant be released on P.R. Bond of Rs.15,000/- (Rs.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