

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 306 OF 2026
IN
CR. APPEAL NO. 118 OF 2026

Alfaz Firoz Mulla
VERSUS
The State of Maharashtra

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Mr. Umesh H. Pawar, Advocate for Applicant.
Mr. Nitin. B. Patil, APP for the Respondent-State.

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 8th MAY, 2026

P. C. :

1. Heard learned counsel for the applicant and learned APP for the State.
2. By this application the applicant is seeking suspension of sentence imposed upon him by the learned Additional Sessions Judge, Islampur in Sessions Case No. 14 of 2024, dated 23.04.2026 for offence punishable under Section 307 read with Section 34 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs. 2,000/-, in default simple imprisonment for three months.

3. Learned counsel for the applicant submits that the trial court's judgment is contrary to the law and the evidence on record. It is contended that the court erred in convicting the applicant. Hence, the impugned order is liable to be quashed and set aside.

4. It is contention of learned APP that prosecution has proved the case beyond reasonable doubt. The learned trial Court has rendered a well reasoned order and no interference is required in it. Hence, prayed to reject the application.

5. Having heard both learned counsel and perused the impugned judgment, I find that certain plausible grounds are raised by the Applicant and considering that the applicant is awarded a short-term sentence, coupled with the fact that disposal of the Appeal may take a considerable period, the sentence deserves to be suspended. Hence, the order :

ORDER

- (i) The Interim Application is allowed.
- (ii) The sentence awarded in judgment and order rendered by the the learned Additional Sessions Judge, Islampur in Sessions Case No. 14 of 2024, dated 23.04.2026, is hereby suspended.

- (iii) The applicant/accused be enlarged on bail on furnishing PR Bond in the sum of Rs.25,000/- (Rs.Twenty Five Thousand), and one solvent surety, in the like amount, before the learned Additional Sessions Judge, Islampur.
- (iv) Applicant shall mark presence before the concerned Sessions Court, once in three months on the date assigned by the concerned Court.
- (v) The interim application is disposed of accordingly.

[SACHIN S. DESHMUKH, J.]