

N.S.Kamble

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 2916 OF 2025  
IN  
CRIMINAL REVISION APPLICATION (ST) NO.15975 OF 2025**

Mohammad Sharif  
Alias Akeel Ahmed Mohammd Shafiq

**VERSUS**

The State Of Maharashtra  
Through Azad Nagar Police Station, Malegaon

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Ms.Sana Shaikh a/w Ms.Nisha Lakariya, Ms.Maya Updeshe, Mr.Arshad Khully, Mr.Pratik Thadani, Mr.Amitesh Kamble, Ms.Sneha Lad, Mr.Rupesh Ghodke, for the Applicant.

Ms.Gauri Rao, APP for Respondent-State.

Ms.Rutika Kesrwani, for Respondent No.2 (Through V.C.)

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**CORAM : SHIVKUMAR DIGE, J.**

**DATE : 28<sup>th</sup> APRIL 2026**

**P.C. :**

1. This is an application for suspension of sentence and for bail.
2. Heard learned counsel for the Applicant and the learned Additional Public Prosecutor.
3. The Applicant has been convicted for the offence punishable under Section 377 of the Indian Penal Code ('IPC' for short). The maximum sentence imposed on the Applicant Rigorous Imprisonment

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for three years and pay fine of Rs.6000/- in default of payment of fine to further undergo RI for three months.

4. The Applicant has been convicted for the offence punishable under Section 506 of the Indian Penal Code ('IPC' for short). The maximum sentence imposed on the Applicant Rigorous Imprisonment of six months and pay fine of Rs.500/- in default of payment of fine to further undergo RI for one month. The learned Additional Sessions Court has suspended the sentence during the appeal period and has granted interim bail to the Applicant.

5. During the trial the Applicant was on bail. The Applicant has deposited the fine amount. It may take time to dispose of the Appeal. Hence, requested to allow the Application.

6. The learned APP and learned counsel for Respondent No.2 strongly objected to allow the Application on the ground that if the Applicant released on bail, he may abscond. Hence, requested to reject the Application.

7. Considering the submission of both learned counsel as well as sentence imposed on the Applicant is short term sentence. During trial Applicant was on bail. He has not misused the liberty.

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Considering these facts, the sentence is suspended till final disposal of the Appeal.

8. The Application is disposed of in the following terms.

**ORDER**

(i) The substantive sentence of imprisonment awarded to the applicant is hereby suspended pending disposal of the appeal, subject to the applicant furnishing a PR bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(ii) The bail bonds to be furnished before the learned Additional Sessions Judge.

(iii) The Criminal Application is disposed of.

(SHIVKUMAR DIGE, J.)