

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3419 OF 2025
IN
CRIMINAL APPEAL NO.956 OF 2025

1. Washim Walimohammad Pirmohammad Siliya
2. Mohammad Yasin Hanif SiliyaApplicants

Versus

The State of MaharashtraRespondent

Mr. Sudhir Gupta along with Mr. Rajesh Makela, Ms. Trisha Thakur and
Ms. Misbah Panjwani, Advocate for Applicants.
Ms. Ranjana D. Humane, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.
DATE : 16^h FEBRUARY, 2026.

P.C. :

1. By this application, the applicants are seeking suspension of sentence and bail during the pendency of appeal filed by the applicants.
2. The applicants have been convicted for offences punishable under Section 328, 188 and 273 of the Indian Penal Code 1860 (for short "IPC"). For the offence punishable under Section 328, the applicants are sentenced to suffer rigorous imprisonment of three years and to pay fine of Rs.5000/- each, in default of payment of fine, to undergo rigorous imprisonment of six months; for offence punishable under Section 188 of the IPC, the applicants are sentenced to suffer rigorous imprisonment of six

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months and to pay fine of Rs.1000/- each, in default of payment of fine, to undergo rigorous imprisonment of two months and for offence punishable under Section 273, the applicants are sentenced to suffer rigorous imprisonment of six months and to pay fine of Rs.1,000/- each, in default of payment of fine, to suffer rigorous imprisonment of two months.

3. It is the contention of learned counsel for the applicants that the Trial Court has granted bail and suspended the sentence imposed on applicants during the appeal period. During the trial, the applicants were on bail and they have not misused the liberty. Hence, requested to allow the application.

4. The learned APP for respondent-State strongly objected to allow the application.

5. I have heard both learned counsel.

6. The maximum sentence imposed on the applicants is of three years. The Trial Court has granted bail to the applicants and suspended the sentence imposed on applicants during the appeal period. During the trial, the applicants were on bail and they have not misused the liberty. It may take time to dispose of the appeal.

7. In view of above, the applicants' sentence is suspended and they enlarged on bail, pending the hearing and final disposal of the appeal, on the following terms and conditions.

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ORDER

- i. The applicants be enlarged on bail on furnishing
P. R. Bond in the sum of Rs.30,000/- each with one
or two sureties in the like amount.
 - ii. The bail bond to be furnished before the Trial Court.
Interim Application stands disposed of.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)