

S.S.Kilaje

IN THE JUDICATURE OF HIGH COURT AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1509 OF 2026
IN
CRIMINAL APPEAL NO. 405 OF 2026

1. Akhib Abid Ilami
 2. Adil Salam Pansare
 3. Arman Abdul Rashid Mansuri
- ... Applicants

VERSUS

The State Of Maharashtra And Anr. ... Respondents

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Ms. Sanika Joshi i/b. Mr. Kuldeep Patil, Advocate for Applicants.

Mr. P. P. Jadhav, APP for Respondent-State.

PSI – Mr. Rajesh Dattatraya Markade, Nagothane Police Station, Raigad,
present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th MAY, 2026.

P.C. :

1. By this application, the applicants are seeking suspension of sentence.

2. It is contention of learned counsel for the applicants that applicants have been convicted under Section 353, 323 and 332 r/w 34 of Indian Penal Code, 1860 (for short “IPC”). For the offence under Section 353 of IPC, applicants are sentenced to suffer rigorous imprisonment of two years and to pay fine of Rs.7,000/- each

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and in default of payment of fine amount, simple imprisonment for one month. For the offence under Section 332 of IPC, applicants are sentenced to suffer rigorous imprisonment of six months and to pay fine of Rs.7,000/- each and in default of payment of fine amount simple imprisonment for one month. For the offence under Section 323 of IPC, applicants are sentenced to suffer simple imprisonment of six months and to pay fine of Rs.1,000/- each and in default of payment of fine amount, simple imprisonment for one month. Learned counsel for the applicant submits that applicants were on bail. The applicants have deposited the fine amount, hence requested to allow the application.

3. Learned APP strongly objected to allow the application on the ground if applicants' sentence is suspended they may abscond, hence requested to reject the application.

4. I have heard both learned counsel. Perused impugned Judgment and order. The sentence imposed on the applicants is a short term sentence. During trial applicants were on bail. They have not misused the liberty. It may take time to dispose of the appeal. In view of above, I pass following order.

ORDER

- i. The substantive sentence imposed on the applicants in Sessions Case No. 10 of 2020 is suspended till disposal

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of the appeal.

- ii. The applicants be enlarged on bail on furnishing P.R.Bond in the sum of Rs. 25,000/- each, with one or two surety in the like amount.
 - iii. The bail bond to be furnished before the Trial Court.
5. Interim application stands disposed of.

(SHIVKUMAR DIGE, J.)