

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST ORDER PASSED
BY SUBORDINATE COURT) NO. 1774 of 2026**

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AAMIRKHAN HASAMKHAN TURK PATHAN

Versus

STATE OF GUJARAT

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Appearance:

MR. AJAJ M MAKRANI(17609) for the Applicant(s) No. 1

MR. MAULIK M SONI(7249) for the Applicant(s) No. 1

MR KRUTIK PARIKH, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE S.V. PINTO**Date : 24/06/2026****ORAL ORDER**

1. Leave to amend is granted. To be carried out accordingly
2. **Notice** returnable on **11.12.2026**. Learned APP waives service of notice for the respondent-State.
3. By way of the present application, the applicant – accused has prayed to quash and set aside the judgment and order of conviction passed by the learned 2nd Additional District & Sessions Judge, Keshod in Criminal Appeal No. 99 of 2017 dated 24.05.2022 confirming the judgment and order passed by the learned Additional Chief Judicial Magistrate, Keshod in Criminal Case No. 683 of 2013 dated 18.01.2014 and has prayed in Para-6(B) to suspend the order of execution of sentence during pendency of the present Revision Application,

whereby, the present applicant - accused was sentenced to simple imprisonment for two years and fine of Rs.2,000/-, and in default, simple imprisonment for one month for the offence under Section 379 of the Indian Penal Code and simple imprisonment for one year and fine of Rs.1,000/-, and in default, simple imprisonment for fifteen days for the offence under Section 356 of the Indian Penal Code.

4. Heard learned advocate Mr. Maulik Soni for the applicant and learned APP Mr.Krutik Parikh for the respondent State.

5. Learned advocate Mr.Maulik Soni for the applicant submits that the applicant was convicted by the learned Additional Chief Judicial Magistrate, Keshod by a judgment and order dated 18.01.2014 and had filed Criminal Appeal No.99 of 2017 before the Sessions Court, Keshod. Learned advocate submits that the judgment and order of conviction passed by the learned Additional Chief Judicial Magistrate, Keshod came to be confirmed by the Sessions Court, Keshod, and thereafter, he came to arrested and sent into custody since 20.03.2026. The applicant has a good case on merits and the prayer as prayed for in Para-6(B) may be allowed.

6. Learned APP Mr.Krutik Parikh for the respondent State has objected to grant of the present application; however, submits that appropriate order may be passed.

7. Considering the fact that the conviction is a fixed

sentence and there is no likelihood of the revision application being heard in the near future and a *prima-facie* case is made out in favour of the present applicant, the prayer qua Para-6(B) is allowed. The order of execution of sentence passed by the learned Sessions Judge, Keshod in Criminal Appeal No. 99 of 2017 dated 24.05.2022 confirming the judgment and order passed by the learned Additional Chief Judicial Magistrate, Keshod in Criminal Case No. 683 of 2013 dated 18.01.2014 is suspended during pendency of the Criminal Revision Application and the applicant is ordered to be released on bail on furnishing personal bond of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with surety of the like amount to the satisfaction of the Trial Court and on the following conditions;

- (i) shall not take undue advantage of liberty or misuse liberty;
- (ii) shall furnish the present address of his residence to the Court concerned at the time of execution of the bond;
- (iii) shall maintain law and order;
- (iv) shall not indulge in any activity leading to breach of public peace and tranquility;
- (v) the applicant shall be released if not required in any other case.

8. Direct service is permitted.

F.S. KAZI

(S. V. PINTO,J)