

S U P R E M E C O U R T O F I N D I A
 RECORD OF PROCEEDINGS

CRLMP.NO.5217/10 IN CRIMINAL APPEAL NO(s). 110 OF 2009

HUSSEIN GHADIALLY @ MD.H.G.A.SHAIKH &ORS

Appellant (s)

VERSUS

STATE OF GUJARAT
 (for bail and office report)
 WITH

Respondent(s)

CRLMP.NO.5900/09 IN CRIMINAL APPEAL NO(s).658 OF 2009
 CRLMP.NO.5902/09 IN CRIMINAL APPEAL NO(s).659 OF 2009
 [(for bail and office report)]

Date: 30/04/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
 HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Appellant(s) Mr. Sushil Kumar, Sr. Adv.
 Mr. Sanjay Jain, Adv.
 Mr. Vinay Arora, Adv.
 Mr. Aditya Kumar, Adv.
 Mr. Anmol Thukral, Adv.
 Mr. Sanjay Jain, Adv.

For Respondent(s)
 Ms. Hemantika Wahi, Adv.

UPON hearing counsel the Court made the following
 O R D E R

1. This application, CRLMP.5217/10 for bail on
 behalf of the applicants, Aziz Ibrahim Patel and
 Mehmood @ Baba Ibrahim Master, has been made in
 Crl.A.No.110 of 2009, wherein they are arrayed as
 appellant Nos. 7 and 9.

-2- CRLMP.5217/10 IN Crl.A.110/09

2. Having been convicted under Section 201, read
 with 120B, the applicants were sentenced to undergo
 10 years' rigorous imprisonment, together with fine
 of Rs.20,000/- each. As has been submitted by Mr.
 Sushil Kumar, learned senior counsel appearing on
 behalf of the applicants, the maximum punishment
 envisaged under Section 201 IPC is 7 years and in
 the meantime, the applicants have already undergone

more than 8 years' imprisonment.

3. Having regard to the above, since the applicants appear to have undergone more than the sentence, as provided for under Section 201, let them be released on bail to the satisfaction of the Designated Court at Surat, Gujarat in Criminal(TADA) Case No.59/1995, subject to payment of the fine amount, if not already paid.

4. As far as Criminal Appeal Nos. 658 and 659 of 2009, are concerned, prayer for bail made on behalf of the applicants, is adjourned till after the summer vacation.

(Sheetal Dhingra)
Court Master

(Juginder Kaur)
Court Master