

ITEM NO.52

COURT NO.5

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 546/2023

(Arising out of impugned final judgment and order dated 23-09-2022 in IA No. 2708/2021 in Criminal Appeal No. 648 of 2016 passed by the High Court Of Judicature At Bombay)

FARHAN ABDUL MALIK KHOT

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.8204/2023-CONDONATION OF DELAY IN FILING and IA No.8206/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.8208/2023-EXEMPTION FROM FILING O.T.)

Date : 16-01-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Mr. Akhil Sibal, Sr. Adv.
Mr. Pradeep Chindra, Adv.
Mr. Rajan Chawla, AOR

For Respondent(s)

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

Delay condoned.

The present petition has been filed seeking bail pending appeal before the High Court, which was declined by the order impugned dated 23.09.2022.

It reveals from the record that the petitioner filed bail application because of suffering of his wife and for her treatment. The bail application was declined by the High Court under the order impugned after perusal of her medical records.

After we have heard learned counsel for the petitioner, we find no reason to interfere with the order impugned. However, it will not preclude the petitioner from filing a regular application for grant of suspension of sentence in the pending appeal, if so advised. If a fresh application is filed, it may be considered on its own merits in accordance with law.

In view of above, the Special Leave Petition is disposed of.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER