



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.766 OF 2026
WITH
INTERIM APPLICATION NO.3106 OF 2026
IN
CRIMINAL APPEAL NO.766 OF 2026**

Devidas Vasantrao Shindikar ... Applicant
versus
Central Bureau of Investigation and Anr. ... Respondents

Mr. Ayush Pasbola with Mr. Mrunal Bhide, for Applicant.
Mr. Ajay Patil, for CBI.
Mr. Avinash Kamkhedkar, APP for State.

CORAM: N.J.JAMADAR, J.

DATE : 17 SEPTEMBER 2026

P.C.

1. Heard the learned Counsel for the parties.
2. Admit.
3. Call R and P along with the paper book.
4. Issue notice to the Respondents, returnable on 29 October 2026.
5. Mr. Patil, learned Counsel waives service on behalf of Respondent No.1 and Mr. Kamkhedkar, learned APP waives service on behalf of Respondent No.2.

IA No.3106 of 2026

6. This is an application for suspension of sentence and to enlarge the Applicant on bail during the pendency of the appeal. By a judgment and order

dated 31 August 2026, the learned Special Judge has convicted the Applicant for the offences punishable under Sections 7 and 13(1)(d) read with 13(2) of the Prevention of Corruption Act, 1988 and the Applicant has been sentenced to suffer rigorous imprisonment for a term of three years for the offence punishable under Section 7 of the Act, 1988 and rigorous imprisonment for a term of four years for the offence punishable under Section 13(1)(d) and fine of varying amounts, with default stipulation.

7. Learned Counsel for the Applicant submitted that the Applicant has a fair chance of success in the appeal. The Applicant was on bail during the pendency of the trial. There are apparent infirmities in the impugned judgment.

8. Learned Special PP resisted the submissions on behalf of the Applicant. It was urged that the learned Special Judge has correctly analyzed the evidence and returned a finding of guilt, and, therefore, the sentence does not deserve to be suspended.

9. The Applicant has been sentenced to suffer a fixed term of imprisonment. It is trite law that, if a convict is sentenced to suffer a fixed term of sentence, ordinarily the appellate Court shall exercise the discretion to suspend the sentence, unless exceptional circumstances are made out. Having regard to the large pendency of the cases before this Court, it is extremely unlikely that this Appeal can be taken up for hearing and final

disposal in the near future. It does not appear that the Applicant has abused the liberty while he was on bail during the pendency of the trial.

10. In these circumstances, this Court considers it expedient to suspend the sentence and enlarge the Applicant on bail.

11. Hence, the following order :

ORDER

(i) Interim Application stands allowed.

(ii) The substantive sentence imposed by the learned Special Judge, Pune, in Special Case No.1751 of 2025 arising out of CR No.RC BA1/2014/A0012 registered with CBI, ACP stands suspended till the final disposal of the appeal.

(iii) The applicant be enlarged on bail on furnishing a PR Bond in the sum of Rs.25,000/- with one or two sureties in the like amount, to the satisfaction of the learned Special Judge.

(iv) The applicant shall attend the proceedings in this appeal, as and when directed.

(v) The Applicant shall not contact the first informant and witnesses, for any reason whatsoever or give threat or inducement to them.

(vi) The Applicant shall report to CBI, ACB, on the first Monday of October and April, every year, between 11.00 a.m. and 1.00 p.m., till the final disposal of the Appeal.

(vii) On being released on bail, the Applicant shall furnish his cell phone number and residential address to the IO and shall keep the same updated, in case of any change therein.

The Interim application stands disposed.

(N.J.JAMADAR, J.)