

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2022 OF 2015

IN

CRIMINAL APPEAL NO. 359 OF 2015

[Varsha w/o Gautam Sable Vs The State of Maharashtra]

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Shri B.J.Sonawane, advocate for applicant/appellant
Shri U.H.Bhogale, A.P.P. for respondent

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CORAM : V.M.DESHPANDE, J.
DATED : 17th April, 2015

PER COURT :-

1] This is an application for suspension of substantive jail sentence and for grant of bail.

2] The applicant/appellant is convicted by the learned Special Judge, Ahmednagar for the offences punishable under Sections 7 of the Prevention of Corruption Act, 1988 and under Sections 13(1)(d) r/w 13 (2) of the Prevention of Corruption Act, 1988, in Special Case (ACB) No. 5 of 2011.

The applicant is directed to suffer rigorous imprisonment for two years and to pay a fine of Rs.3,000/-, in default to further suffer rigorous imprisonment for three months in respect of offence punishable under Section 7 of the Prevention of Corruption Act, 1988.

The applicant is further convicted for the offence punishable under Section 13(1)(d) r/w 13 (2) of the Prevention of Corruption Act, 1988 and is directed to suffer rigorous imprisonment for one year and to pay a fine of

Rs.3,000/-, in default to suffer rigorous imprisonment for three months.

3] Learned counsel Shri Sonawane has submitted that the applicant has already deposited entire fine amount. He further submitted that on 30.3.2015 the learned Special Judge has released the applicant on bail to give her opportunity to approach before this court. Statement is accepted.

4] The applicant was on bail throughout and it is reported that at no point of time she has misused the liberty granted to her. Presently this court is taking the appeals of 2000 and in near future there is no likelihood that appeal will be taken up for final hearing. Hence, I pass following order.

ORDER

- (i) Application is allowed.
- (ii) The substantive jail sentence imposed by the learned Special Judge, Ahmednagar on the present applicant/appellant, for the offences punishable under Sections 7 of the Prevention of Corruption Act, 1988 and under Sections 13(1)(d) r/w 13 (2) of the Prevention of Corruption Act, 1988, in Special Case (ACB) No. 5 of 2011 shall stand suspended during the pendency of the present appeal.
- (iii) The applicant-Varsha w/o Gautam Sable shall be released on bail on she executing P.R.bond in the sum of Rs.10,000/- with one solvent surety in the like amount, during the pendency of Criminal Appeal.
- (iv) Bail before the trial court.
- (v) The applicant shall remain present before this court at the time of final hearing of present Criminal Appeal.

(V.M.DESHPANDE, J.)