

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 5117 OF 2015 IN
CRIMINAL APPEAL NO. 727 OF 2015

Kailas Chintaman Patil,
Age : 43 years, Occupation : Service,
R/o : Shankar Appa Nagar, Jalgaon .. Applicant
(Orig. Accused No.1)
Vs.

The State of Maharashtra .. Respondent

AND
CRIMINAL APPLICATION NO. 5123 OF 2015 IN
CRIMINAL APPEAL NO. 730 OF 2015

Himmat S/o Shamrao Pawar,
Age : 61 years, Occu.: Retired,
R/o. Pardi Wada, Parola Naka,
Dharangaon, Dist. Jalgaon .. Applicant
(Orig. Accused No.2)
Vs.

The State of Maharashtra .. Respondent

Mr. Joydeep Chatterji, Advocate for the applicant (5117/2015)
Mr. S.N. Chavan, Advocate h/f. Mr. Vijay Sharma, Advocate for
applicant (5123/2015)
Mr. V.P. Kadam, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.
DATE : 22/09/2015

ORAL ORDER :

Heard.

2. Notice.

3. Learned A.P.P. waives notice for the respondent-State in both the applications.

4. The applicant - Kailas Chintaman Patil in Criminal Application no. 5117 of 2015, who has been convicted by the learned Additional Sessions Judge, Jalgaon vide judgment and order dated 27/08/2015 passed in Special (A.C.B.) Case No. 4 of 2013, for the offence punishable under section 7 of the Prevention of Corruption Act, 1988 and sentenced to suffer simple imprisonment for 2 years and to pay fine of Rs.10,000/-, in default to suffer simple imprisonment for 6 months for the said offence and the applicant - Himmat S/o Shamrao Pawar in Criminal Application no. 5123 of 2015, who has been convicted by the learned Additional Sessions Judge, Jalgaon vide judgment and order dated 27/08/2015 passed in Special (A.C.B.) Case No. 4 of 2013, for the offences punishable under section 7 and 12 of the Prevention of Corruption Act, 1988 and sentenced to suffer simple imprisonment for 1 year and to pay fine of Rs.10,000/-, in default to suffer simple imprisonment for 6 months for the offence punishable under section 7 of the Prevention of Corruption Act, 1988 and to suffer

simple imprisonment for 1 year and to pay fine of Rs.5,000/-, in default to suffer simple imprisonment for 3 months for the offence punishable under section 12 of the Prevention of Corruption Act, 1988, are praying for suspension of their substantive sentences during the pendency of the appeal/s and their release on bail.

5. Learned counsel for the applicants in both the applications submit that the fine amounts are already deposited.

6. Considering the fact that the hearing of the appeals would take its own time, the substantive sentences are hereby suspended. Both the applicants/appellants be released on bail, upon their execution of P.R. bonds in the sum of Rs.20,000/- (Rs. Twenty Thousand) each and also upon furnishing surety each in the like amount.

7. Both Applications stand disposed of accordingly.

[M.T. JOSHI]
JUDGE

arp/