

IN THE HIGH COURT OF BOMBAY AT GOA.

**CRIMINAL MISCELLANEOUS APPLICATION NO.101 OF
2015.**

Shri Suresh Vinayak Morajkar,	 Applicant.
Versus	
Union of India.	 Respondent.

Mr. P. P. Singh Advocate for the applicant.
Mr. J. Vaz, Special Public Prosecutor for the respondent.

Coram:- K. L. WADANE, J.
Reserved on: 7th May, 2015.
Pronounced on:- 8th May, 2015.

ORDER:

Yesterday, I have heard Mr. P. P. Singh, learned Advocate appearing for the applicant and Mr. J. Vaz, learned Public Prosecutor for the respondent.

2. Brief facts of the case are as follows:-

The applicant/accused was charged and tried for the offences punishable under Section 13(2) read with Section 13(1) (e) of the Prevention of Corruption Act and sentenced to suffer rigorous imprisonment for four years and fine of Rupees One crores by the learned Special Court, CBI, at Mapusa on 13.10.2014 in Special Case No. 35/2013. Against that order, the applicant presented the Appeal No. 59/2014 and as per the order passed in CRMA 24/2014, the substantive sentence was

suspended by this Court as per conditional order dated 7.11.2014. The applicant was ordered to be released bail of Rs. 50,000/-. The applicant had furnished/deposited bail amount, therefore, he was released on bail on 7.11.2014. As per the Order of this Court dated 7.12.2014 the amount of the fine expected to be deposited in this Court was reduced to 10,00,000/- and time to deposit such amount was extended from time to time, however, the applicant/accused failed to deposit such amount, therefore, on 10.4.2015 the order dated 7.12.2014 was recalled and NBW was issued and now the applicant is in jail.

3. Now the learned Advocate appearing for the applicant Mr. P. P. Singh has argued that in the meantime the applicant have arranged for an amount of Rs.10,00,000/- and he seeks permission to deposit the amount before the Registrar of this Court. On behalf of the applicant a copy of the pan card, driving licence and registration certificate of the vehicle are produced on record which are taken on record and marked "X" for identification. From which it is seen that registered address of the applicant is as follows:-

H. No. 258, Ner Khapreshwar Temple,
Belabai, Vasco-de-Gama, South Goa, 403802.

4. Considering the facts and circumstances of the case I pass the following:-

(i) Substantive sentence imposed upon the applicant is suspended till the disposal of the appeal.

(ii) The applicant shall furnish fresh bail and to execute personal bond of Rs.50,000/- with one surety in the like amount to the satisfaction of the Registrar of this Court.

(iii) The applicant shall deposit demand draft of Rs. 10,00,000/- before the Registrar of this Court.

(v) In case, if the applicant changes his residence then he has to inform his new address to this Court and the applicant shall remain present before the Court at the time of hearing of the appeal.

5. Application stands disposed of.

K. L. WADANE,J.

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