

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
**CRIMINAL APPEAL NO. 89 OF 1995**

PRAVIN DAMODAR KARKERA )  
residing at Bldg.No.25, 2<sup>nd</sup> floor, )  
Sardar Nagar 2, Sion Koliwada, )  
Bombay – 400 022. )..APPELLANT  
(Orig.Accused)

vs.

The State of Maharashtra )  
(through C.B.I.) ...Respondent

Smt. V.V.Thorat, Advocate for the appellant.  
Mr. Y.M.Nakhwa for respondent No.1 - CBI  
Mrs. A.A.Mane, APP, for the State.

**CORAM: SMT.SADHANA S.JADHAV,J.**  
**DATE : 15th December, 2015.**

**P.C.**

Heard the learned counsel for the appellant and the learned  
counsel for the respondent.

2. For the reasons to be recorded separately, the following order  
is passed :-

**ORDER**

- (i) The Appeal is partly allowed.
- (ii) The conviction of the appellant for the offences punishable  
under Sections 467, 468, 471 of the Indian Penal Code and Sections 5(1)(d)

and 5(2) of the Prevention of Corruption Act, 1947 is hereby quashed and set aside.

(iii) The conviction of the appellant for the offence punishable under Section 420 of Indian Penal Code is maintained.

(iv) The learned counsel for the appellant submits that the appellant has undergone the substantive sentence approximately for about one month. The sentence imposed by the Special Court is for a period of three months and fine of Rs.100/- for the offence punishable under Section 420 of IPC.

(v) The appellant is sentenced to the period already undergone.

(vi) The sentence of fine is maintained.

(vii) The bail bonds of the appellant are cancelled.

(viii) The amount of fine paid for the offences punishable under Sections 467, 468, 471 and 5(1)(d) and Section 5(2) of the Prevention of Corruption Act, 1947 be refunded to the appellant.

The Appeal is disposed of.

**(SMT.SADHANA S.JADHAV, J.)**