

Ladda

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION*

*CRIMINAL APPLICATION No. 701 of 2015
IN
CRIMINAL APPEAL No. 642 of 2015.*

Suresh Ramchandra Lohar ..Appellant.

Vs

State of Maharashtra ..Respondent.

Mr S.V. Kotwal i/by Jayant Bardeskar for the Applicant.

Mrs P.P. Bhosale APP for the State.

CORAM : A.R.JOSHI,J

DATE : 29th JUNE, 2015

PC. :

Heard the learned advocate for the applicant on this application for bail during the pendency of appeal. The applicant is convicted for the offence u/s 7, 13 (1) (d) read with section 13 (2) of Prevention of Corruption Act, 1988 and sentenced to suffer imprisonment for six months on the first count and one year on the second count. Respective fine amounts were also awarded and they are reportedly paid. During the trial, the applicant was on bail and is also on bail at present till filing of the appeal.

Considering the above circumstances, the application for bail is allowed in terms of prayer clause (a). The applicant be released on same bail with fresh bonds to be executed before the trial Court.

The learned Advocate for the applicant is also heard on application for suspension of conviction. The main thrust of the

argument is that the substantive evidence of the complainant himself is supporting the defence of the accused and as such there are great prospects of success in the present appeal. If it is so, then, it is doubtful whether the conviction can be sustained. At the most, the applicant can ask for expeditious hearing of the appeal. As such on this premise, the learned counsel for the applicant, on instructions, submit that prayer clause (b) for suspension of substantive sentence and conviction may be allowed to be withdrawn. As such the said prayer clause (b) is not allowed and rejected. Application No. 701 of 2015 stands disposed of accordingly.

Office to place the appeal for final hearing in the first week of August, 2015. Applicant/appellant is permitted to submit private appeal paper book.

(A.R.JOSHI, J.)