

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 1366 of 2015

IN

CRIMINAL APPEAL No. 1061 of 2015

Umesh Dhondu Kulkarni ..Applicant/Appellant.

Vs

Central Bureau of Investigation,

Mumbai and Anr

..Respondents.

Mr R.B. Paranjpe, i/by Mahendra Sandhyanshiv, Advocate
for the applicant/Appellant.

Mrs P.P. Bhosale, APP for the State.

Mr Y. M. Nakhwa for the respondent-C.B.I.

CORAM : A.R.JOSHI,J

DATE : 30th October,2015.

P.C. :

1) Heard rival submissions on this application for bail
filed by the applicant/accused during pendency of the appeal.

The appeal is already admitted on 29th October, 2015.

2) The applicant/accused is convicted for the offences
under section 7 and 13 (1) (d) read with section 13 (2) of the
Prevention of Corruption Act, 1988. For offence under section 7,
the accused/applicant is sentenced to suffer RI for three years
and for offence under section 13 (1)(d) read with section 13
(2), he is sentenced to suffer rigorous imprisonment (RI) for

four years and to pay a fine of Rs. 15,000/- on each count.

3) During the trial, the applicant/accused was on bail. However, after his conviction, he is taken in custody since 23.10.2015. The allegations established against the applicant are that he had demanded Rs.5000/-towards bribe and accepted Rs. 2000/- as bribe.

4) The present appeal will take number of years for final hearing and at this moment there is nothing to expedite the appeal. In the opinion of this Court, the applicant can be released on bail during pendency of the appeal. Reportedly, fine amounts are paid, as stated by the learned Counsel for the applicant. Hence, the order:-

:ORDER:

- (a) The application for bail is allowed;
- (b) Applicant shall be released on same bail, as granted by the trial Court during the trial, on his executing fresh bonds to be executed before the trial Court;
- (c) The order granting bail to the applicant shall be effective only after the payment of entire fine amounts imposed by the trial Court against him;
- (d) Criminal Application No. 1366 of 2015 stands disposed of accordingly.

(A.R. JOSHI, J.)