

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 335 OF 2016
IN
CRIMINAL APPEAL NO. 181 OF 2016

Smt. Jayashri Shripad Kulkarni. ... Applicant.
Versus
The State of Maharashtra. ... Respondent.

Mr. Ganesh K. Sovani, advocate for Applicant.

Mr. S.S. Pednekar, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J
DATE : MARCH 10, 2016

P.C.:

1 Heard the learned Counsel for the applicant and the learned
APP for State.

2 This is an application seeking suspension of substantive
sentence imposed upon the applicant. The applicant herein is
convicted for the offence punishable under Section 7, 13(1)(d) read
with Section 13(2) of the Prevention of Corruption Act, 1988 and

sentenced to suffer R.I. for 2 years on each count and to pay fine of Rs. 5,000/- on each count by Special Judge under Prevention of Corruption Act, Ichalkaranji in Special Case No. 1 of 2009 vide Judgment and Order dated 12/2/2016.

3 The learned Counsel for the applicant submits that the applicant was on bail during the pendency of the trial and has not committed breach of any conditions imposed upon her. It is further submitted that the sentence imposed upon the applicant is short term sentence and hence, the substantive sentence deserves to be suspended during the pendency of the appeal.

4 It is true that this Court is hearing Criminal Appeals against conviction of the year 1996 wherein the appellants are convicted under the provisions of the Prevention of Corruption Act and it is not likely that the matter would be heard finally in the near future. In view of this, the applicant deserves to be enlarged on bail during the pendency of the appeal.

5 Hence, the following order is passed :

ORDER

- (i) The application is allowed.
- ii) The substantive sentence imposed upon the applicant is hereby suspended and he be enlarged on bail. Same bail fresh bond.
- (iii) The applicant shall furnish fresh bail bond within 3(three) weeks from today before the Special Court, Ichalkaranji. Upon failure to furnish fresh bail bond within 3 weeks, the learned Special Judge shall issue non-bailable warrant against the applicant calling upon her to serve the rest of the sentence.
- (iv) The applicant shall furnish her residential address, contact number like cell phone number, landline number etc. to the concerned court.
- (v) The applicant shall report to the Special Court, Ichalkaranji once in 6 months on the date specified by the concerned court. Upon

failure to attend on two consecutive dates, the prosecution is at liberty to move for cancellation of bail.

6 The application is disposed of accordingly.

Parties to act on the authenticated copy of this order.

(SMT. SADHANA S. JADHAV,J)