

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 22 OF 2016
IN
CRIMINAL APPEAL NO. 10 OF 2016

Govind Shankar Jagtap. ... Applicant.
Versus
The State of Maharashtra. ... Respondent.

Mr. Pravin Dabade h/f. Mr. Vikas Balasaheb Shivarkar, advocate for
the appellant.

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

CORAM : SMT. SADHANA S. JADHAV,J
DATE : JANUARY 18, 2016

P.C.:

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

2 This is an application under Section 389 of the Code of Criminal
Procedure, 1973 seeking suspension of substantive sentence. The
applicant herein is convicted for the offence punishable under Section

7 of the Prevention of Corruption Act, 1988 and sentenced to suffer R.I. for 6 months and to pay fine of Rs. 1000/- i.d. to suffer S.I. For one month. He is also convicted for the offence punishable under Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988 and sentenced to R.I. for one year and to pay fine of Rs. 1000/- i.d. to suffer S.I. for one month by the Special Judge, Pune in Special Case No. 8 of 2013 vide Judgment and Order dated 5/12/2015.

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 condition imposed upon the applicant. It is also submitted that the sentence imposed upon the applicant is a short term sentence and it is not likely that the appeal would be heard in the near future.

4 Taking into consideration the facts of the case and the submissions advanced across the bar, the applicant deserves suspension of sentence. Hence, following order.

ORDER

- (i) The application is allowed.
- (ii) Substantive sentence imposed upon the applicant is hereby suspended. He be enlarged on bail. Same bail, fresh bond. Bond to be executed within 4 weeks from today.
- (iii) The applicant shall furnish his address, telephone number, cell phone number to the concerned court.
- (iv) The applicant shall attend the Sessions Court, Pune once in six months on the date specified by the concerned court. Upon failure to attend any two consecutive dates, the prosecution is at liberty to move for cancellation of bail.

5 The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)

