

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 79 OF 2016
IN
CRIMINAL APPEAL NO. 38 OF 2016

Mr. Joys Plamkoothil Thomas. ... Applicant.
Versus
Union of India & anr. ... Respondents.

Mr. Rohan Nahar, advocate for Applicant.

Mrs. A.A. Mane, APP for State.

WITH
CRIMINAL APPLICATION NO. 125 OF 2016
IN
CRIMINAL APPEAL NO. 63 OF 2016

Krishnaraj Venugopal Sarvanan. ... Applicant.
Versus
Central Bureau of Investigation & anr. ... Respondents.

Mr. Satyavrat Joshi, advocate for Applicant.

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

WITH
CRIMINAL APPLICATION NO. 126 OF 2016
IN
CRIMINAL APPEAL NO. 64 OF 2016

Abulkalam Kashusudduja Khan & anr. ... Applicants.

Versus
Central Bureau of Investigation & anr. ... Respondents.

Ms. Sharon Patole, advocate for Applicants.

Mr. H.J. Dedhia, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J
DATE : JANUARY 28, 2016

P.C.:

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

2 These are the applications under Section 389 of the Code of
Criminal Procedure, 1973 seeking suspension of substantive sentence.
The applicants herein are convicted for the offence punishable under
Section 7 and 13(2) read with Section 13(1)(d) of the Prevention of
Corruption Act, 1988 and under Section 120-B of the Indian Penal
Code and sentenced to suffer R.I. for 3 years and to pay fine, by the
Special Judge (C.B.I- ACB Cases), Pune in Special (CBI) Case No. 37
of 2013 vide Judgment and Order dated 29/12/2015.

3 The respective Counsel submit that the applicants were on bail during the pendency of the trial and have not committed breach of any condition imposed upon them. After recording of the conviction, the applicants have deposited the fine amount. It is further submitted that the applicants are sentenced to a short term sentence.

4 This Court is hearing the appeals of the year 1995/1996. Hence, the appeals cannot be heard in the near future. In view of this, the applicants deserve to be enlarged on bail during the pendency of the appeal. Hence, the following order.

ORDER

- (i) The applications are allowed.
- (ii) The substantive sentence imposed upon the applicants are hereby suspended. They be enlarged on bail. Same bail, fresh bond.
- (iii) The applicants shall furnish bail bonds within 3 weeks from today.

(iv) The applicants shall furnish their residential addresses, landline numbers, cell phone numbers to the concerned court.

(v) The applicants shall report to the Court of Special Judge (C.B.I- ACB Cases), Pune once in 6 months on the date specified by the concerned court. Upon failure to attend on two consecutive dates by the applicants, the prosecution is at liberty to move for cancellation of bail.

5 The applications are disposed of accordingly.

Parties to act on the authenticated copy of this order.

(SMT. SADHANA S. JADHAV,J)