

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO. 202 OF 2016
IN
CRIMINAL APPEAL NO. 120 OF 2016

Bindiya Lalsingh Pardeshi

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Rohan Nahar Advocate for Applicant

Mr. S. S. Pednekar APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : FEBRUARY 15, 2016.

PC :

Not on board. Upon production, taken on board.

Heard. This is an application under section 389 of Code of Criminal Procedure, 1973 seeking suspension of substantive sentence. Applicant herein is convicted for offence punishable under section 7 of Prevention of Corruption Act, 1988 and sentenced to suffer rigorous imprisonment for 3 years and fine of Rs. 5,000/- in default to suffer further rigorous imprisonment for 3 months, applicant is also convicted for offence punishable under section 13 (1) (d) r/w section 13 (2) of Prevention of Corruption Act, 1988 and sentenced to suffer rigorous imprisonment

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for 4 years and fine of Rs. 6000/- in default to suffer further rigorous imprisonment for 6 months by Special Judge, Pune in Special Case No. 41 of 2015 vide Judgment and Order dated 11/02/2016.

2) Learned counsel for the applicant submits that since the applicant was sentenced to 4 years of rigorous imprisonment, she was taken into custody on 11/02/2016. Fine amount is deposited. It is further submitted that applicant was on bail during the pendency of trial and has not committed breach of any conditions imposed upon her. It is also submitted that sentence imposed upon the applicant is a short term sentence. It would not be possible to take up the appeal for final hearing in the near future since this court is hearing criminal appeals of the year 1996 where the appellants are convicted under the provisions of Prevention of Corruption Act, 1988. In view of this, application seeking bail deserves to be allowed.

ORDER

(i) Application is allowed.

(ii) The substantive sentence imposed upon the applicant is hereby suspended. Applicant be enlarged on same bail, fresh

bonds.

(iii) Applicant shall report to the court of Special Judge, Pune, once in six months, as directed by the concerned court, till the conclusion of appeal.

(iv) Upon failure to attend any two consecutive dates, prosecution would be at liberty to seek cancellation of bail.

(v) Application stands disposed of.

(vi) Parties to act on authenticated copy of this order.

(SMT. SADHANA S. JADHAV, J.)