

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 860 OF 2016

IN

CRIMINAL APPEAL No. 473 of 2016

Ravindra Murlidhar Shete

..Applicant/Appellant.
(Orig. Accused)

Vs

State of Maharashtra

..Respondent.

Mr Sagar Kasar for the Applicant.
Smt. G.P.Mulekar, APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 19th July, 2016

PC.

- 1) This is an application for suspension of substantive sentence and for releasing the applicant on bail.
- 2) The applicant-original accused has been convicted under Section 7 and 13 (1) (d) of the Prevention of Corruption Act, 1988 and sentenced to suffer simple imprisonment for six months on the first count and one year on the second count and to pay a fine of Rs. 500/- on each count, in default of payment of fine to suffer further simple imprisonment for one month on each count by the learned Special Judge, Thane in Special Case (ACB) No. 7/2006 by its Judgment and Order dated 10/6/2016. The substantive sentences are ordered to run concurrently.
- 3) The learned counsel appearing for the applicant submitted that during the pendency of the trial, the applicant was on bail and

after the impugned Judgment and Order dated 10.6.2016 passed by the learned Trial Court, the applicant has been released on bail as contemplated under section 389 (3) of Cr.P.C. He further submitted that there is no report that the applicant has violated any of the conditions of the bail during the trial.

4) The substantive maximum sentence imposed upon the applicant is of one year of simple imprisonment. This is a short term sentence. There is no possibility of the appeal being heard in the near future. In view of the same, I am inclined to release the applicant on bail.

5) Hence, the following order.

ORDER

- (a) The substantive sentence imposed upon the applicant is suspended during the pendency of the appeal;
- (b) The applicant be released on bail on his furnishing PR bond of Rs.25,000/- with one or two local sureties in the like amount;
- (c) The applicant shall attend the Trial Court once in three months on every first Monday of the said month between 11:00 a.m. to 1:00 p.m.;
- (d) Any two consecutive defaults, in attending the Trial Court, will entitle the prosecution for seeking cancellation of bail granted to the applicant;
- (e) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)