

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 863 OF 2016
IN
CRIMINAL APPEAL NO. 475 OF 2016

Ravindra Bhagwan Mahingade Vs. The State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. S.S. Chaudhari for Applicant.
Ms. G.P. Mulekar, APP for State.

CORAM : A.S. GADKARI, J.
DATE : 28th July 2016.

P.C.:

- 1) Heard the learned counsel for the applicant and the learned APP.
- 2) This is an application for suspension of substantive sentence and releasing the applicant on bail.
- 3) The applicant is convicted under Section 7 and 13(1) (d) read with Section 13(2) of the Prevention of Corruption Act, 1988 and sentenced to suffer rigorous imprisonment for two years and to pay a total fine of Rs.10,000/- by the Special Judge, Solapur in Special Case (ACB) No.3 of 2012 by its Judgment and Order dated 13th June 2016. After the applicant is convicted and sentenced as aforesaid by the impugned Judgment and Order, the learned Trial Court by its Order below Exhibit-60 of even date has released the applicant on bail as contemplated under Section 389(3) of

Cr. P.C.

4) The maximum sentence imposed upon the applicant is of two years of rigorous imprisonment. This is short term sentence. There is no possibility of appeal being heard on its own merits in near future. In view of the same, I am inclined to release the applicant on bail.

5) Hence, the following Order:

(i) The applicant be released on bail on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) The procedure to furnish bail bond and surety be complied with before the Trial Court;

(iii) The applicant shall attend the Trial Court once in three months on every 1st Monday during 11.00 to 2.00 p.m. during the pendency of present appeal;

(iv) Any two consecutive defaults in attending the Trial Court shall attract the provisions of cancellation of bail;

6) Criminal Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)