

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

**CRIMINAL APPLICATION NO.1036 OF 2016
IN
CRIMINAL APPEAL NO.515 OF 2016**

Shri.Bhimsha Tukaram Khandekar ... **Applicant**
V/s.
The State of Maharashtra ... **Respondent**

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Mr.Sanjeev P. Kadam with Mr.R.P.Hake, Advocate for the Applicant.
Mrs.R.V.Newton, APP for the Respondent.

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CORAM : P. N. DESHMUKH J.

DATED : 19th AUGUST 2016.

P.C.

1 Learned counsel for applicant has tendered at the bard, application for clarification of order dated 08/08/2016, contending that by order dated as aforesaid, this Court has released applicant on bail, however, there is no reference of suspension of sentence of applicant. It is, therefore, prayed that necessary clarification/directions with reference to suspension of sentence be given.

2 Perused the order dated 08/08/2016. In paragraph 5 of said order, reasons are given by this Court for grant of bail to the applicant and in the operative part applicant is accordingly ordered to be released on bail on his furnishing personal bond in the sum of Rs.25,000/- with one or two local sureties in the like amount and is

imposed with other conditions. However, it is found that inadvertently, there is no reference to suspension of sentence imposed upon the applicant. It is found that accused is convicted in Special Case No.9 of 2011 for the offence punishable under Sections 7, 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988. In view of order dated 08/08/2016, granting him relief of bail, applicant is entitled for suspension of sentence. In the circumstances, last line in Paragraph 5 of order dated 08/08/2016 be read as follows :

“5.....In view of the same, substantive sentences imposed upon applicant are suspended. I am inclined to release the applicants on bail.

6.....”

3 Office to register the application for the statistical purposes.

4 Application is disposed of accordingly.

(P. N. DESHMUKH J.)