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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1555 OF 2016
IN
CRIMINAL APPEAL NO.812 OF 2016**

Uday Bhan Srivastava	...Applicant.
Versus	
The State of Maharashtra and Anr.	...Respondents

Mr.V.C.Desai, for the Applicant.

Mr.A.R.Kapadnis, A.P.P for the Respondent No.1-State.

Mr.H.S.Venegaonkar, for the Respondent No.2-CBI.

CORAM : REVATI MOHITE DERE, J.

DATE : 21st DECEMBER, 2016

P.C. :

1. Heard learned Counsel for the applicant, learned A.P.P and learned counsel for Respondent no.2-CBI.
2. The applicant, vide Judgment and Order dated 25th October, 2016, passed by learned Special Judge for CBI, City Civil & Sessions Court, Court No.53, Greater Mumbai, in CBI Special Case No.105 of 2012,

has been convicted and sentenced as under:-

- for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988, to suffer R.I for 2 years and to pay fine of Rs.15,000/- in default to suffer R.I. for 6 months;
- for the offence punishable under Section 13(1)(d) r/w Section 13(2) of the Prevention of Corruption Act, 1988 to suffer R.I for 3 years and to pay fine of Rs.15,000/- in default to suffer R.I. for 6 months.

Both the said sentences were directed to run concurrently.

3. Learned Counsel for the applicant states that the applicant was on bail, pending trial and that he has not abused or misused the liberty granted to him. He submits that the applicant's sentence has been suspended and he has been released on bail under Section 389 of Cr.PC. He further submits that the applicant has deposited the fine amounts in the trial Court.

4. Perused the papers. It is not in dispute that the applicant was on bail pending trial and that he has not abused or misused the liberty granted to him. The sentence awarded is a short term sentence. The

Appeal has been admitted by a separate order passed today and the same is not likely to come up for the hearing in the immediate near future.

5. Considering the aforesaid, the application is allowed. The applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of his Appeal, on the following terms and conditions:-

ORDER

(i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;

(ii) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court and to the concerned Police Station, in writing.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. In view of the disposal of the Criminal Application No.1555 of 2015, the Suspension Application being Criminal Application No.1556 of 2016 does not survive and the same is also disposed of.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.