

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.316 OF 2017

IN

CRIMINAL APPEAL NO.163 OF 2017

MISS SAVITA D/O.KARBHARI MANKAR)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr.R.V.Haturkar, Advocate for the Applicant.

Ms.V.S.Mhaispurkar, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 6th MARCH 2017.

P.C. :

1 This is an application for suspension of sentence and releasing the applicant / accused on bail during pendency of his appeal. The applicant / accused is convicted of offences punishable under Sections 7, 13(1)(d) read with 13(2) of the Prevention of Corruption Act, 1988. For the offence punishable under Section 7 of the Prevention of Corruption Act, the

applicant / accused is sentenced to suffer rigorous imprisonment for 1 year apart from payment of fine of Rs.10,000/-. For the offence punishable under Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, he has been sentenced to suffer rigorous imprisonment for 1 year apart from payment of fine of Rs.10,000/-. These sentences are directed to run concurrently.

2 Heard both sides. The learned APP argued that there is evidence regarding demand and acceptance of illegal gratification by the applicant / accused.

3 Short sentence is imposed on the applicant / accused for offences punishable under Sections 7, 13(1)(d) read with 13(2) of the Prevention of Corruption Act, 1988. Hearing of the appeal will take its own time. Hence, considering the fact that short sentence is imposed on applicant / accused, which is also reported to be suspended by the learned trial court, the following order :

- i) The application is allowed.
- ii) Substantive sentence of imprisonment imposed upon the applicant / accused is suspended and the applicant / accused is directed to be released on bail on his executing P.R.Bond in the sum of Rs.15,000/- and on furnishing one surety in like amount.

(A. M. BADAR, J.)