

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.118 OF 2017

IN

CRIMINAL APPEAL NO.63 OF 2017

SACHIN S/O.PRAVEEN KUMAR AND ANR.)...APPLICANTS

V/s.

**CENTRAL BUREAU OF INVESTIGATION)
AND ANOTHER)...RESPONDENTS**

Mr.Niteen Pradhan i/b. Ms.Tasneem Khatau, Advocate for the Applicants.

Ms.Rebecca Gonsalvez, Advocate for Respondent No.1.

Mr.P.H.Gaikwad-Patil, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 18th SEPTEMBER 2017

P.C. :

1 By an order dated 2nd February 2017, this court had passed an ad-interim order directing suspension of sentence until further orders. Notice was issued to respondent / CBI.

2 Heard the learned senior advocate appearing for applicants / accused as well as the learned advocate appearing for

the CBI. The learned advocate for the respondent / CBI opposed the application by contending that considering the nature of offence, sentence imposed on applicants / accused may not be suspended.

3 I have considered the rival submissions and also perused the impugned judgment and order of conviction. Applicants are convicted of offences punishable under Sections 7, 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988, and they are sentenced to suffer simple imprisonment for 3 years apart from payment of fine and imprisonment in default thereof. The learned trial court has already suspended the substantive sentence of imprisonment imposed on them. Hence the following order :

ORDER

- i) The order dated 2nd February 2017 is confirmed on same terms and conditions.
- ii) The application is accordingly disposed of.

(A. M. BADAR, J.)