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

***CRIMINAL APPLICATION NO.485 OF 2017
(FOR BAIL)***

***IN
CRIMINAL APPEAL NO.278 OF 2017***

Vikas Kumar s/o Sachidanand Prasad Gupta ...Applicant
Versus
The State of Maharashtra and Anr. ...Respondents

Mr.T.P.Hilage, for the Applicant.

Mr.Y.M.Nakhwa, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 1st AUGUST, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks suspension of his sentence and enlargement on bail, pending the hearing and final disposal of his appeal.
3. The applicant, vide Judgment and Order dated 28th February, 2017, passed by learned Special Judge (CBI-ACB Cases), Pune, has been

convicted and sentenced as under:-

- for the offence punishable under Section 7 of the Prevention of Corruption Act, to suffer imprisonment for 6 months and to pay fine of Rs.5,000/- in default to suffer simple imprisonment for 1 month;
- for the offence punishable under Section 13(1)(d) r/w 13(2) of Prevention of Corruption Act, to suffer imprisonment for 1 year and to pay fine of Rs.5,000/- in default to suffer simple imprisonment for three months.

(The substantive sentences are directed to be run concurrently.)

4. Learned Counsel for the applicant states that the applicant was on bail, pending the trial and that he has not abused or misused the liberty granted to him. He submitted that the applicant's sentence was suspended after his conviction.

5. Learned APP does not dispute the aforesaid.

5. Perused the papers. The Appeal has been admitted by this Court (Coram : A.M.Badar,J.) vide order dated 7th April, 2017 and the

same is not likely to come up for the hearing in the immediate near future. 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 Applicant's sentence was also suspended after his conviction. The sentence awarded is a short term sentence.

6. Considering the aforesaid, 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.20,000/- with one or two sureties in the like amount.

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

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

(REVATI MOHITE DERE, J.)