

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.530 OF 2017

IN

CRIMINAL APPEAL NO.302 OF 2017

Sanjay Dhondiba Kasbe ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

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

Mr.Amit Palkar, APP for the Respondent/State.

....

CORAM : A.M.BADAR J.

DATED : 12th APRIL 2017.

P.C. :

1 The learned Advocate appearing for the applicant/accused has stated that he is not praying for stay to the Judgment and Order of conviction, as claimed in prayer clause (b).

2 What remained now is prayer for releasing him on bail by suspending the substantive sentence of imprisonment. The applicant/accused has been convicted of the offences punishable under Sections 7 and 13(1)(d) of the Prevention of Corruption Act, 1988 and he is sentenced to suffer simple imprisonment for three years on both these counts.

3 Heard the learned Advocate for the applicant/accused. I have also heard the learned Additional Public Prosecutor.

4 Short sentence of imprisonment for three years has been imposed on the applicant/accused, who is a public servant. As such, there is no likelihood of absconding. The appeal will take its own time for hearing. The applicant/accused was on bail during pendency of the trial and the trial Court has suspended the substantive sentence of imprisonment on the applicant. Therefore, the order :

- (i) The application is partly allowed.
- (ii) Substantive sentence of imprisonment imposed on the applicant/accused is suspended and he is directed to be released on bail on executing PR bond in the sum of Rs.15000/- with one surety in like amount.
- (iii) Rest of the prayer made in the application is rejected.

(A.M.BADAR J.)