

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.580 OF 2017

IN

CRIMINAL APPEAL NO.346 OF 2017

Dilip G. Jadhav

)...Applicant/Appellant

V/s.

State Of Maharashtra

)...Respondent

Ms. Meera Barge i/by C.P.Sengaonkar, Advocates for the Applicant/Appellant.

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

CORAM : A. M. BADAR, J.

DATE : 24th April, 2017.

P.C. :

This is an application for suspension of sentence and releasing the applicant/accused on bail during the pendency of the appeal filed by him. The applicant-accused has been convicted of the offences punishable under Sections 7, 13(1)(d) read with 13(2) of the Prevention of Corruption Act, 1988 and he is sentenced to suffer simple imprisonment for six months on each count apart from further direction to pay fine and consequent

sentence.

2 Heard the learned advocate appearing for the applicant-accused. She argued that evidence of the complainant is not corroborated by any other evidence. Spot pancha used by the ACB was habitual and his interested version cannot be relied upon. The learned APP opposed the application.

3 Short sentence of six months has been imposed on the applicant-accused and his appeal has already been admitted for final hearing. The appeal will take its own time for hearing. The substantive sentence of imprisonment imposed on the applicant-accused who is public servant has already been suspended by the learned Trial Court and, therefore, the order:

(1) The application is allowed.

(2) The 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.15,000/- and on furnishing surety in the like amount.

(A. M. BADAR, J.)