

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.614 OF 2017

IN

CRIMINAL APPEAL NO.365 OF 2017

Ashok Vitthal Kalaskar)...Appellant/Applicant

V/s.

State Of Maharashtra)...Respondent

Mr. M.G.Shukla, Advocate for the Appellant/Applicant.

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

CORAM : A. M. BADAR, J.

DATE : 20th 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. He has been convicted of the 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 thereof, he is sentenced to suffer rigorous imprisonment for six months and for the offence punishable under Section 13(1)(d) read with 13(2) thereof, he is sentenced to suffer

rigorous imprisonment for one year. Apart from this fine and sentence in default of payment of fine is also imposed on the applicant-accused.

2 Heard both sides and perused the impugned judgment and the order of conviction. The applicant-accused is a public servant. There is no possibility of his absconding. Sentence imposed on him by the learned trial Court is a short sentence. He has paid fine. The substantive sentence of imprisonment has already been suspended by the learned trial Court. 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.
- (3) The application is disposed of accordingly.

- (4) Parties to act upon an authenticated copy
of this order.

(A. M. BADAR, J.)