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

***CRIMINAL APPLICATION NO.811 OF 2017
IN
CRIMINAL APPEAL NO.499 OF 2017***

Vijay s/o Shamsunder Prabhu	...Applicant
Versus	
Union of India and Anr.	...Respondents

Mr.Niranjan Mundargi i/b Mr.Kunal Ambulkar, for the Applicant.

Mr.H.S.Venegaonkar, Special Public Prosecutor, for the Respondent No.1 – CBI.

Mr.S.S.Hulke, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 16th JUNE, 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 4th May, 2017, passed by learned Special Judge for CBI, City Civil and Sessions Court, Court Room No.53, Greater Mumbai, has been convicted and sentenced as under:-

- for the offence punishable under Section 120B of Indian Penal Code r/w Section 8 of the Prevention of Corruption Act, 1988, to suffer R.I for 4 years and to pay fine of Rs.200/- in default to suffer R.I. for 1 month;
- for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988, to suffer R.I for 4 years and to pay fine of Rs.200/- in default to suffer R.I. for 1 month;
- for the offence punishable under Section 10 of the Prevention of Corruption Act, 1988, to suffer R.I for 3 years and to pay fine of Rs.200/- in default to suffer R.I. for 1 month;
- for the offence punishable under Section 120B r/w Section 11 of the Prevention of Corruption Act, 1988, to suffer R.I for 3 years and to pay fine of Rs.200/- in default to suffer R.I. for 1 month;
- for the offence punishable under Section 120B r/w Section 12 of the Prevention of Corruption Act, 1988, to suffer R.I for 3 years and to pay fine of Rs.200/- in default to suffer R.I. for 1 month;

(All the 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. The said statement is not disputed by the learned Special Prosecutor appearing for the respondent no.1.

5. Perused the papers. The Appeal has been admitted by a separate order passed today 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 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.25,000/- 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.)