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

**CRIMINAL APPLICATION NO.904 OF 2017
(For Bail and Suspension of Sentence)**

IN

CRIMINAL APPEAL NO.556 OF 2017

WITH

**CRIMINAL APPLICATION NO.905 OF 2017
(For Suspension of Sentence)**

IN

CRIMINAL APPEAL NO.556 OF 2017

Mohamed Riyazuddin Abdul Kayum

...Applicant

Versus

The State of Maharashtra

...Respondent

Ms.L.U.Nevrekar, for the Applicant.

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

CORAM : REVATI MOHITE DERE, J.

DATE : 5th JULY, 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 the appeal.

3. The applicant vide Judgment and Order dated 7th June, 2017, passed by learned Special Judge (Under the P.C. Act), Greater Mumbai, in ACB Special Case No.66 of 2013, has been convicted and sentenced as under:-

- for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988, of the Indian Penal Code, to suffer S.I for 6 months and to pay fine of Rs.8,000/- in default to suffer S.I. for 30 days;
- for the offence punishable under Section 13(1)(d) r/w 13(2) of the Prevention of Corruption Act, 1988 to suffer S.I for 6 months and to pay fine of Rs.8,000/- in default to suffer S.I. for 30 days.

(The substantive sentences are directed to 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. She further submitted that the applicant's sentence was suspended after his conviction.

5. Learned APP does not dispute the aforesaid.

6. 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.

7. 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.15,000/- with one or two sureties in the like amount.

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

9. In view of the disposal of the Criminal Application No.904 of 2017, Criminal Application No.905 of 2017 does not survive and the same is also disposed of.

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

(REVATI MOHITE DERE, J.)