

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.1710 OF 2017
IN
CRIMINAL APPEAL NO.1039 OF 2017**

Suresh Narayan Chavan ... **Applicant**
V/s.
The State of Maharashtra ... **Respondents**

.....
Mr.H.Salgaokar I/b. Harshad Bhadbhade, Advocate for the
Applicant.

Mr.S.V.Gavand, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 20th DECEMBER 2017.

P.C. :

1 This is an application for suspension of sentence and releasing the applicant/accused on bail during pendency of the appeal filed by him.

2 Heard the learned Advocate appearing for the applicant/accused. He argued that throughout trial, the applicant was on bail and he has not misused his liberty. It is further argued that the applicant being public servant will not misuse his liberty and he will be available for undergoing the sentence, if any, on failure of his appeal.

3 The learned Additional Public Prosecutor opposed the application by contending that the applicant is convicted after due trial.

4 I have carefully considered the rival submissions and also perused the impugned Judgment and Order.

5 The applicant was working as a senior clerk. He has convicted of offences punishable under Sections 7, 13(1)(d) read 13(2) of the Prevention of Corruption Act. Maximum sentence imposed on him is that of four years for offence punishable under Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act. He has already deposited the fine amount. The appeal will take its own time for hearing considering the pendency of jail appeals before this Court. Hence, the Order :

- (i) The application is allowed.
- (ii) The substantive sentence of imprisonment imposed on the applicant is suspended and he is directed to be released on bail on his executing P.R.Bond in the sum of Rs.15,000/- and on furnishing surety in the like amount.
- (iii) Parties to act on authenticated copy of this Order.

(A.M.BADAR J.)