

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPEAL NO.306 OF 2017

(Mr.Sopan S/o Maroti Kamble..vs..State of Maharashtra, through Dy.S.P.(ACB) Gadchiroli)

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Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

CORAM : V.M. DESHPANDE, J

DATED : JULY 13 , 2017

Heard Shri R.R.Vyas, learned counsel for
appellant. Admit.

The learned A.P.P.Shri N.B.Jawade, waives the
service of notice on behalf of respondent.

CRIMINAL APPLICATION (APPA)NO.519 OF 2017

This is an application for suspension of substantive
jail sentence and for grant of bail.

Heard Shri R.R.Vyas for the applicant and learned
A.P.P.Shri N.B.Jawade for respondent.

The applicant is convicted for the offence
punishable under Section 7 of the Prevention of Corruption
Act,1988 and is directed to suffer R.I. for two years and to pay
fine of Rs. 10000/-, in default of payment of fine to suffer S.I.
for three months. He is also convicted for the offence
punishable under Section 13(1)(d) r/w Section 13(2) of the
Prevention of Corruption Act,1988 and is directed to suffer

R.I. for two years and to pay fine of Rs. 5000/- and in default of payment of fine to suffer R.I. for one month.

This Court has already admitted the appeal.

After the judgment was passed learned Judge of the Court below, has already suspended the jail sentence imposed on him. The statement is also made on affidavit that the applicant has already deposited the entire fine amount.

Looking to the quantum of jail sentence and looking to the fact that much older appeals are pending before this Court and it will not be possible for this Court to finally decide the present appeal in near future. Hence, I allow the present application.

The substantive jail sentence imposed upon the applicant by learned Special Judge, Chandrapur for the offence punishable under Sections 7, 13(1)(d) r/w Section 13(2) of the Prevention of Corruption Act, 1988 shall stand suspended during the pendency of the appeal.

The applicant shall execute fresh P.R. Bond of same amount before Court below.

The applicant shall remain present in the Court at the time of final hearing of this appeal.

With this application is disposed of.

JUDGE