

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1666 OF 2018

IN

CRIMINAL APPEAL NO.1189 OF 2018

Jalindar Kalappa Saptale ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

Mr.Viresh V. Purwant, Advocate for the Applicant.

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

....

CORAM : A.M.BADAR J.

DATED : 4th OCTOBER 2018.

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 The applicant/accused is convicted for the offences punishable under Sections 7 and 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988. On first count, he is sentenced to suffer rigorous imprisonment for three years and on

another count, he is sentenced to suffer rigorous imprisonment for four years. Some amount is also imposed on the applicant.

3 Heard the learned Advocate appearing for the applicant/accused. He argued that during pendency of trial the applicant/accused was on bail and upon conviction he has deposited the entire amount of fine.

4 The learned Additional Public Prosecutor opposed the application.

5 I have considered the submissions so advanced.

6 Short sentence of imprisonment is imposed on the applicant/accused. He was on bail during trial. Being a public servant, he is not likely to abscond. The appeal filed by him may not be heard within a short span of four years. Hence, the Order :

ORDER

(i) The application is allowed.

(ii) The substantive sentence of imprisonment imposed on the applicant/accused is suspended and he is directed to be released on bail on his executing P. R. Bond of Rs.15,000/- and on furnishing surety in the like amount.

(iii) As a condition of this order, the applicant/accused should not repeat commission of similar offence.

(iv) The application is disposed of accordingly.

(A.M.BADAR J.)