

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 202 OF 2018****IN****CRIMINAL APPEAL NO. 134 OF 2018**

Smt. Jayashree d/o. Madhavrao NirgudeApplicant.

Vs.

The State of MaharashtraRespondent.

Ms. Meera Barge i/by C.P. Sengaonkar for the Applicant.

Mr. V.V. Gangurde, APP for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 13th MARCH, 2018.

P.C.:-

This is an Application for suspension of sentence and for releasing the Applicant on bail.

2 The Applicant is convicted under Sections 7, 13(1) and 13(2) of the Prevention of Corruption Act 1988 and is sentenced to suffer maximum Imprisonment for 3 years and to pay a fine of Rs.10,000/- (Rupees Ten Thousand only), by the learned Additional Sessions Judge-1, Vasai in Special A.C.B. Case No. 3 of 2011, by order dated 19th January, 2018.

3 The learned counsel appearing for the Applicant submitted that, the Applicant has already deposited a fine amount before the Trial Court. She further submitted that, the Trial Court by an Order

under Section 389 (3) of the Cr.Pc. dated 19th January 2018, has released the Applicant on the bail.

4 As the maximum sentence is imposed upon the Applicant i.e. 3 years, I am inclined to release the Applicant on bail. Hence the following order-

- a) During the pendency of the Appeal, the substantive sentence imposed upon the Applicant is suspended and the Applicant is released on bail in Special A.C.B. Case No. 3 of 2011 on her furnishing PR bond of Rs.25,000/- (Rupees Twenty Five Thousand only) with one or two solvent local sureties in the like amount.
- b) During the pendency of the Appeal, the Applicant shall attend and mark her presence before the Trial Court on every first Monday of the month between 11.00 a.m. to 2.00 p.m.. If the said first Monday is a Court holiday/Public holiday, the Applicant shall mark her presence on the immediate next day.

Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)