

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

**CRIMINAL APPLICATION NO.218 OF 2017
WITH
CRIMINAL APPEAL NO.554 OF 2016**

Mr. Bhagwan Nivrutti Wagh

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Satyavrat Joshi for the Applicant.

Mr. A.R. Kapadnis, APP for the Respondent State.

CORAM : A.S.GADKARI, J.

DATE : 28th MARCH 2018

P.C.:

1. This is an application for suspension of conviction imposed upon the applicant by Judgment and Order dated 19.07.2016 passed by the learned Special judge, Nasik in Special Case (ACB) No.7 of 2010.

2. Heard the learned counsel for the applicant at length and the learned APP. The learned APP vehemently opposed the present application.

3. It is the settled position of law as has been enumerated by the Hon'ble Supreme Court in the case of *K.C. Sareen Vs. CBI*¹ and

¹ (2001) 6 SCC 584

followed in the case of *State of Maharashtra through CBI, Anti Corruption Branch, Mumbai Vs. Balkrishna Dattatraya Kumbhar*² that, the conviction of public servants convicted in corruption cases cannot be suspended just because they would otherwise lose their job and/or they may not get other benefits arising out of their service.

4. In view of the above, the present application being misconceived, is accordingly rejected.

(A.S.GADKARI, J.)

² (2012) 12 SCC 384