Nalawade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICTION NO.259 OF 2018
IN
CRIMINAL APPEAL NO.170 OF 2018

Shri. Kailash J. Dhadhia ...Appellant.
vs.
CBI STF Mumbai and anr. ...Respondents.

Mr. Vijay Shingnapurkar for the Appellant.
Mr. V.V.Gangurde, APP for the Respondent-State.
Mr. Sandesh Patil for the Respondent CBI.

CORAM : A.S.GADKARI, J.
DATE : 26th February, 2018

P.C.

1. This is an application for suspension of sentence and releasing the applicant on bail.

The applicant is accused No.1 in CBI Special Case No.70/2005. The learned Special Judge (CBI) by its Judgment and Order dated 13/2/2018 was pleased to convict the applicant under Section- 420, 465, 467 read with 120B of the Indian Penal Code and sentenced to suffer maximum rigorous imprisonment of four years and imposed fine of Rs.80,000/-.

2. The applicant is taken into custody on the date of pronouncement of Judgment. As the maximum sentence

imposed upon the applicant is four years and the possibility of taking up the present appeal for final hearing in immediate future is blink, I am inclined to release the applicant on bail. The learned counsel for the applicant submitted that the applicant has already deposited the entire amount of fine in the Trial Court.

Hence, I pass the following order.

a) The applicant be released on bail in CR No.RCBS22004S0002 dated 29.7.2004 ( CBI Special Case No.70/2005) on his furnishing PR bond of Rs.25,000/-with one or two solvent local sureties in the like amount.

b) After his release from Jail, the applicant shall mark his 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 Court holiday/public holiday the applicant shall mark his presence on the immediate next day.

c) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)