

Nalawade

THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.447 OF 2018
IN
CRIMINAL APPEAL NO. 273 OF 2018

Hanumant B. Walunj ..Appellant.

vs.

State of Maharashtra
Through CBI ACB.

..Respondent.

Mr. Amit Mundhe for the Appellant.

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

CORAM :A.S.GADKARI, J.

DATE : 27th March, 2018

P.C.

1. This is an application for suspension of sentence and for releasing the applicant on bail.
2. Heard Shri. Mundhe, learned counsel for the applicant and the learned PP for the State.
3. The applicant is convicted under Section 468, 471 and 420 of the Indian Penal Code and under Section 13(2) read with Section 13(1)(c) and (d) of the Prevention of Corruption Act and is sentenced to suffer rigorous imprisonment for one year on each count and to pay a total

fine of Rs.800/-and in default of payment of fine to further suffer rigorous imprisonment for specific period by the learned Special Judge for CBI, Greater Mumbai by its Judgment and Order dated 16.2.2017 in CBI Special Case No.62/2010.

4. The learned counsel for the applicant submitted that applicant has already deposited the fine amount in the registry of the Trial Court. He further submitted that the applicant has been released on bail by the Trial Court under Section 389(3) of the Cr.P.C. by its order dated 16.3.2018.

5) As the maximum sentence imposed upon the applicant is one year of the rigorous imprisonment, I am inclined to release the applicant on bail.

Hence, the following order.

a) During the pendency of the present appeal, the substantive sentence imposed upon the applicant is suspended.

b) During the pendency of the present appeal, the applicant be released on bail in CBI Special Case

No.62/2010 on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

c) During the pendency of appeal, the applicant shall mark his presence before the Trial Court on every first Monday of the month between 11.00a.m. to 2.00p.m. If the said first Monday is Court holiday/public holiday the applicant shall mark his presence on immediate next day.

d) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)