

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 430 OF 2018
Navin Baburao Jambhulkar vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. R. S. Deshpande i/by Mahesh Pawar and Aneesh Deshpande for the Applicant.

Ms. S.D.Khot for Respondent No.1 CBI.

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

CORAM : A.S.GADKARI, J.

DATE : 27th March, 2018

P.C.

1. This is an application for suspension of sentence and releasing the applicant on bail in CBI Special Case NO. 89/2009.

2. Heard Shri. Deshpande, learned counsel for the applicant and the learned Special PP for the CBI.

3. The applicant is convicted under Section 7, 8, 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988 read with Section 120B of the Indian Penal Code. and sentenced to suffer rigorous imprisonment for two

years on each count and to pay a total fine of Rs.75,000/- by the learned Special Judge (CBI), Greater Bombay. by its Judgment and Order dated 3.3.2018 in CBI Special Case No.89/2009.

The Trial Court has also directed that the substantive sentences shall run concurrently.

4. Mr. Deshpande, learned counsel for the applicant submitted that the applicant has already deposited the fine amount in the registry of the Trial Court.

5. As the maximum sentence imposed upon the applicant is four years of rigorous imprisonment and there is no possibility of appeal being heard on merits in near future, 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 appeal, the applicant be released on bail in CBI Special Case No.89/2009 on his furnishing PR bond of Rs.25,000/-with one or two solvent

local sureties in the like amount.

The applicant is permitted to furnish cash bail for a period of six weeks and during the said period the applicant shall complete the formalities of furnishing sureties.

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

d) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)