

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.562 OF 2018

IN

CRIMINAL APPEAL NO.402 OF 2018

Harshad Gunesh Gore ... **Applicant**
V/s.
Central Bureau of Investigation & Anr. ... **Respondents**

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Mr.Milind Deshmukh i/b. Sanjay B. Wakhare, Advocate for the Applicant.

Mr.H.S.Venegaonkar, Advocate for the Respondent/CBI.

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

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CORAM : A.M.BADAR J.

DATED : 7th JUNE 2018.

P.C. :

1 This is an application for suspension of sentence and releasing the applicant/accused on bail during pendency of the appeal filed by him.

2 The applicant/accused is convicted of offences punishable under Sections 420 and 120B of the Indian Penal Code. He is sentenced to suffer rigorous imprisonment for two years apart from imposition of fine.

3 Heard the learned Advocate appearing for the applicant/accused as well as Shri.Venegaonkar, the learned Advocate for the CBI. Perused the impugned Judgment and Order of conviction and resultant sentence.

4 The substantive sentence of imprisonment is only for two years. The learned Advocate for the applicant submits that the applicant will deposit fine amount, if not deposited, within a period of two weeks from the date of this Order.

5 Shri.Venegaonkar, the learned Advocate appearing for the CBI opposed the application.

6 Considering the fact that the substantive sentence of imprisonment is only for two years and the same has already been suspended by the learned trial Court, the applicant deserves to be released on bail. Hence, the Order :

ORDER

- i) The application is allowed.
- ii) The substantive sentence of imprisonment imposed on the applicant/accused is suspended and he directed to released on bail on his executing P. R. Bond in the sum of Rs.15,000/- and on furnishing surety in the like amount subject to his depositing the fine amount within a period of two weeks from today if the same is not already deposited by him.

- iii) As a condition of this Order, the applicant should not commit any offence in future.

(A.M.BADAR J.)