

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.685 OF 2018

IN

CRIMINAL APPEAL NO. 497 OF 2018

Pradeep S. Bose 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
--	---------------------------

Mr.Atharva Dandekar with Deepa Mani with Mr.A. Naik i/by D.M.Legal Venture for the Appellant.

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

CORAM : A.S.GADKARI, J.

DATE : 03rd May, 2018

P.C.

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

2. Heard Mr. Dandekar, the learned counsel for the applicant and the learned APP for the State.

3. The applicant has been convicted under Section 10, 12, 13(2) read with 13(1)(d) of the Prevention of Corruption Act,1988 and is sentenced to suffer rigorous imprisonment for two years and to pay a fine of Rs.30,000/- in default of payment of fine to further

undergo rigorous imprisonment for two months by the learned Special Judge (CBI), Greater Bombay in CBI Special Case No.89 of 2009 its Judgment and Order dated 3.3.2018.

4. The learned counsel for the applicant submitted that the 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 under Section 389(3) of the Cr.P.C. by the order of even date by the Trial Court.

5. As the maximum sentence imposed upon the applicant is two years of rigorous imprisonment and the possibility of appeal being heard on merits in near future is remote, I am inclined to suspend the substantive sentence and 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 of 2009 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 11.00 a.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.)