

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.858 OF 2018

IN

CRIMINAL APPEAL NO.699 OF 2018

1) LAJPATRAI MANILAL VAGHELA)
2) MRUDULA LAJPATRAI VAGHELA)...APPLICANTS

V/s.

THE STATE OF MAHARASHTRA & ANR.)...RESPONDENTS

Mr.Pawan Mali, Advocate for the Applicants.

Mr.H.S.Venegaonkar, Advocate for the Respondent No.2/CBI.

Mrs.M.R.Tidke, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 24th SEPTEMBER 2018

P.C. :

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

2 Heard the learned counsel appearing for applicants/accused. He fairly states that at this stage applicants/accused are not pressing the prayer made in Prayer Clause (b) of the application and liberty be granted to him to make such prayer as and when occasion arises. The learned counsel further argued that applicants/accused were on bail during pendency of the trial and even after the trial they are released on bail by the learned trial court. They have also deposited the fine amount imposed on them. Shri Venegaonkar, the learned counsel appearing for the Central Bureau of Investigation opposed the application.

3 I have considered the submissions so advanced. The applicant/accused no.1 is convicted of the offence punishable under Section 13(2) read with 13(1)(e) of the Prevention of Corruption Act, 1988 and is sentenced to suffer rigorous imprisonment for 2 years apart from imposition of fine of Rs.10,000/-. So far as the applicant/accused no.2 is concerned, she is convicted of the offence punishable under Section 109 of

the Indian Penal Code and is sentenced to suffer rigorous imprisonment for 2 years apart from imposition of fine of Rs.10,000/-. Applicants/accused were on bail during pendency of the trial. Short sentence of imprisonment imposed on applicants/accused is already suspended by the learned trial court. Therefore, the order :

ORDER

- i) The application is allowed.
- ii) Substantive sentence of imprisonment imposed on applicants/accused is suspended and applicants/accused are directed to be released on bail on their executing P.R.Bond in the sum of Rs.15,000/- each, and on furnishing surety in like amount, by each of them.
- iii) As Prayer Clause (b) is not pressed at this stage by applicants/accused, liberty is granted to make such prayer as and when occasion arises.
- iv) The application is disposed of.

Arti Vilas
Khatate

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(A. M. BADAR, J.)