

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1527 of 2018
IN
CRIMINAL APPEAL NO.1102 of 2018

Satish Bhagwan Palav	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

...

Mr. Kripashankar Pandey for the applicant.
Mrs.P.P. Shinde, APP for the State.

CORAM: SMT. BHARATI H.DANGRE, J
DATED : 4th SEPTEMBER, 2018

P.C:-

1 Criminal Application No.1527 of 2018 is moved for suspension of sentence and for grant of bail. I have perused the said application.

2 The applicant has been convicted for an offence punishable under Section 12 of the Prevention of Corruption Act, 1988 along with four other accused persons who were convicted for the offence punishable under section 7 and 13(1) (d) read with Section 13(2) of the Prevention of Corruption Act, 1988. The applicant is an Architect and it is alleged by the

prosecution that he was the person who was entrusted with liaising for the Informant and his partner and a private person at the MCGM office and he accepted the amount of Rs.10 lakhs from the complainant by and on behalf of accused no.1. The applicant is convicted and sentenced to suffer Rigorous Imprisonment of three years and to pay a fine of Rs.5,000/- and in default to pay fine, to suffer Simple Imprisonment for three months.

3 The Appeal filed by the appellant is already admitted. The present application is filed seeking release of bail and suspension of sentence in Special Case No.60 of 2015. In the said application, it is stated that the applicant has been on bail throughout trial and has not misused the liberty. Further, he has also undertaken to abide all the terms and conditions, which this Court would impose while granting such bail. Another ground to which recourse has been taken is that the co-accused in the impugned matter who were sentenced to Rigorous Imprisonment for a period of four years and were taken into judicial custody have already been released on bail by an order passed by this Court on 27th August 2018.

4 I have perused the said application and it is noted that sentence of three years Imprisonment has been imposed on the applicant and he was on bail during the entire trial. The applicant also submits that he has already deposited the

amount of fine. Considering that the Appeal filed by the applicant is already admitted by this Court and the appeal may not be heard within a short period of five years, the following order would meet the ends of justice.

O R D E R

- (i) The application is allowed.
- (ii) The substantive sentence of imprisonment imposed on the applicant is suspended and he is directed to be released on bail on executing P.R. bond of Rs.20,000/- and on furnishing one or more sureties in the like amount.
- (iii) As a condition of this order, the applicant should not repeat commission of similar offence in future.

(SMT. BHARATI H. DANGRE, J.)

Manali
Prasanna
Tilak

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by Manali
Prasanna Tilak
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2018.09.05
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