

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.1542 OF 2018
IN
CRIMINAL APPEAL NO.1114 OF 2018**

Narayan Janba Patil ... **Applicant**
V/s.

The State of Maharashtra ... **Respondent**

Mr.A.P. Mundargi, Senior Advocate a/w. Mr.Nitin Babgonda Patil
for the applicant.

Mr.S.V. Gavand, APP for the respondent/State.

CORAM : A.M.BADAR J.

DATED : 19th SEPTEMBER 2018.

P.C. :

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

2. The applicant/accused is convicted of offence punishable under Section 12 of the Prevention of Corruption Act, 1988. He is sentenced to suffer rigorous imprisonment for three years apart from payment of fine of Rs.15000/- and in default to undergo

simple imprisonment for three months.

3. Heard the learned Senior Counsel appearing for the applicant/accused. It is argued that the co-accused involved in the case was already released on bail vide orders dated 27th August, 2018 and 4th September, 2018 in Criminal Applications No.1433 of 2018 and 1527 of 2018 respectively. It is further argued that short sentence of imprisonment is imposed on the applicant/accused which has already been suspended by the trial Court and he was on bail during pendency of trial.

4. The learned Additional Public Prosecutor opposed the application.

5. I have considered the rival submissions and perused the impugned Judgment and order of conviction and resultant sentence. Short sentence of imprisonment of three years is imposed on the applicant and considering the pendency of appeals before this Court, the appeal filed by the present applicant/accused may not be heard within that period. The applicant/accused was on bail throughout. He has not mis-used his liberty. Therefore the order;

:: ORDER ::

- (i) Substantive sentence of imprisonment imposed on the applicant/accused is suspended and he is directed to be

released on bail on his executing P.R.Bond in the sum of Rs.15,000/- and on his furnishing one or more surety in the like amount.

(ii) The application is disposed of accordingly.

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(A.M.BADAR J.)