

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1601 OF 2018

IN

CRIMINAL APPEAL NO.1137 OF 2018

Sunil Hirasingh Rathod ... **Applicant**
V/s.

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

Mr.Amit Desai, Senior Advocate a/w. Mr.Subodh Desai,
Mr.Ashwin C. Thool i/b. Mr. Nikhil N. Gawai for the appellant.
Mr. P.H. Gaikwad-Patil for the respondent/State.

CORAM : A.M.BADAR J.

DATED : 26th SEPTEMBER 2018.

P.C. :

1. This is an application for suspension and for releasing the applicant/accused on bail during pendency of the appeal filed by him. The applicant/accused is convicted of the offence punishable under Section 12 of the Prevention of Corruption Act, 1988 (for short, "P.C. Act") and he is sentenced to suffer rigorous imprisonment for three years apart from imposition of fine of

Rs.10,000/- and default sentence of simple imprisonment for three months (operative part of the impugned order erroneously shows that the applicant is convicted of the offence punishable under Section 7 of the P.C. Act, 1988).

2. Heard the learned Senior Counsel appearing for the applicant as well as the learned Additional Public Prosecutor appearing for the respondent no.1/State.

3. During pendency of the trial, the applicant/accused was on bail and he has not misused his liberty. Substantive sentence imposed on the applicant has already been suspended by the learned Trial Court. Also the appeal filed by the applicant may not be heard within a short period of three years. In this view of the matter, the following 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 furnishing P.R. Bond in the sum

of Rs.15,000/- and on his furnishing surety in the like amount.

(ii) As a condition of this order, the applicant/accused should not repeat commission of similar offence in future.

Vina
Arvind
Khadpe

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signed by
Vina Arvind
Khadpe
Date:
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(A.M.BADAR J.)