

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1701 OF 2018**

**IN**

**CRIMINAL APPEAL NO.1207 OF 2018**

|                               |                |
|-------------------------------|----------------|
| 1) MANIKLAL SINGHEE           | )              |
|                               | )              |
| 2) RAJIV KISHANLAL SINGHEE    | )              |
|                               | )              |
| 3) SMT.VEENA MANIKLAL SINGHEE | )              |
|                               | )              |
| 4) PARITOSH M. SINGHEE        | )              |
|                               | )              |
| 5) KANTILAL D. SINGHEE        | )...APPLICANTS |

**V/s.**

|                                 |                 |
|---------------------------------|-----------------|
| CENTRAL BUREAU OF INVESTIGATION | )               |
| AND ANOTHER                     | )...RESPONDENTS |

**WITH**

**CRIMINAL APPLICATION NO.1702 OF 2018**

**IN**

**CRIMINAL APPEAL NO.1208 OF 2018**

|                 |               |
|-----------------|---------------|
| NAMDEV BHALEKAR | )...APPLICANT |
|-----------------|---------------|

**V/s.**

|                                 |                 |
|---------------------------------|-----------------|
| CENTRAL BUREAU OF INVESTIGATION | )               |
| AND ANOTHER                     | )...RESPONDENTS |

Mr.Girish Kulkarni i/b. Mr.Kripashankar Pandey and Mr.M.G.Shukla, Advocate for the Applicants.

Ms.Ameeta Kuttikrishnan, Advocate for the Respondent/CBI in Criminal Application No.1702 of 2018.

Mrs.M.R.Tidke, APP for the Respondent – State in Criminal Application No.1701 of 2018.

Mr.P.H.Gaikwad-Patil, APP for the Respondent – State in Criminal Application No.1702 of 2018.

**CORAM : A. M. BADAR, J.**

**DATE : 15<sup>th</sup> OCTOBER 2018**

**P.C. :**

1           These are applications for suspension of sentence and releasing the applicants/accused on bail during pendency of the appeal filed by them. Both applications are concerning the same judgment and order of conviction and the resultant sentence, and therefore, both of these applications are being decided by this common order. The applicants/accused involved in these applications are convicted of offences punishable under Section 120B of the Indian Penal Code as well as under Section 420 of the Indian Penal Code. On each count, they are sentenced to suffer

rigorous imprisonment for 2 years apart from direction to pay some amount of fine.

2            Heard the learned counsel appearing for the applicants/accused. He argued that fine amount has already been deposited by the applicants/accused before the learned trial court. They were on bail during trial and short sentence of imprisonment is imposed on them.

3            The learned counsel for the Central Bureau of Investigation appeared in Criminal Application No.1702 of 2018. She opposed the application.

4            The applicants/accused were on bail during pendency of the trial. It is reported that the entire amount involved in the concerned subject special case is already deposited with the bank in the matters before the Debt Recovery Tribunal. The applicants/accused have already deposited the entire amount of fine. Short sentence of imprisonment is imposed on them. Hence,

the order :

**ORDER**

- i) The applications are allowed.
- ii) Substantive sentence of imprisonment imposed on the applicants/accused is suspended and the applicants/accused are directed to be released on the same bail with fresh bond in the sum of Rs.15,000/- each.
- iii) The applications are disposed off.

**(A. M. BADAR, J.)**