

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.1732 OF 2018
IN
CRIMINAL APPEAL NO.1220 OF 2018**

Ranjit Kapadia & Anr.

...Applicants

V/s.

Central Bureau of Investigation & Anr.

...Respondents

.....

Mr. Samir A. Vaidya, Advocate for the Appellants.

Mr. S.V. Gavand, APP for respondent No.2/State.

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CORAM : A.M.BADAR, J.

DATED : 12th OCTOBER 2018.

P.C. :

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

2. The applicants/accused are convicted for the offences punishable under Sections 120-B & 420 of the Indian Penal Code.

On each count, they are sentenced to suffer rigorous imprisonment for two years apart from imposition of some fine and default sentence.

3. Heard the learned Advocate appearing for the applicants/accused. He submitted that the entire financial dues of the bank are settled and consent decree is passed. The amount under the consent decree is already paid to the bank. The learned counsel further submits that the entire fine is already deposited with the learned trial Court. The applicants were on bail throughout and after recording conviction, the learned trial Court has already suspended the sentence imposed on them.

4. The learned APP appears for respondent No.2/State.

5. Short sentence of imprisonment is imposed on the applicants/accused and the appeal filed by them may not be heard within a period of two years, considering the pendency of appeals before this Court. The applicants were on bail during pendency of the trial. Sentence imposed on them is already suspended by the learned trial Court. Hence, the order.

- : ORDER : -

- (i) The application is allowed.
- (ii) The substantive sentence of imprisonment imposed on the applicants/accused is suspended and they are directed to be released on same bail on their executing P.R. Bond of Rs.15,000/- each.
- (iii) The application is disposed of accordingly.

(A.M.BADAR J.)