

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1678 OF 2017

IN

CRIMINAL APPEAL NO.1025 OF 2017

Rajendra Kumar Saraogi and anr. ...Appellant

Versus

CBI ACB Mumbai and Anr. ...Respondents

Amit Kaetam i/b V.N. Shingnapurkar for the appellant

Mr.H.S.Venegaonkar for CBI .

Mr.Prashant Jadhav, APP for the Respondent /State.

CORAM: A.M. BADAR, J.

DATED: 17th JANUARY 2018

PC:-

1. This is an application for suspension of sentence and releasing the applicant/accused on bail during pendency of the appeal filed them.
2. At the outset, the learned advocate appearing for the applicants submits that he wants to delete the name

of applicant no.2 from array of applicants. Leave as prayed is granted.

3. Heard the learned advocate appearing for both the parties. Perused the impugned judgment and order of conviction and resultant sentence.
4. Applicant Rajendra Kumar Saraogi is convicted of the offence punishable under Section 12 of the Prevention of Corruption Act and he has been sentenced to suffer Rigorous Imprisonment for two years apart from directed him to pay fine of Rs.5,000/- . The Applicant was on bail during pendency of the trial. The appeal filed by him may not be heard within a period of two years. Substantive sentence of imprisonment imposed on the applicant is already suspended by the learned trial Court. Hence the following order.

ORDER

- (i) The application is allowed.

- (ii) The 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 furnishing surety in the like amount.

(A.M. BADAR, J)