

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.88 OF 2019
IN
CRIMINAL APPEAL NO.84 OF 2019**

Mr.Parshuram Uchappa Manchekar ... **Applicant**
V/s.
The Superintendent of Police,
Central Bureau of Investigation,
ACB, Mumbai & Anr. ... **Respondents**

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Mr.R.A.Shaikh with Mohammed M. Khan, Advocate for the Applicant.

Mr.P.H.Gaikwad-Patil, APP for the Respondent No.2/State.

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CORAM : A.M.BADAR J.

DATED : 5th FEBRUARY 2019.

P.C. :

1 This is an application for suspension of sentence and releasing the applicant/accused on bail during pendency of the appeal filed by him. The applicant/accused is convicted for the offences punishable under Sections 7 and 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988. On first count, he is sentenced to suffer rigorous imprisonment for one

year and on another count, he is sentenced to suffer rigorous imprisonment for two years, apart from imposing fine on both counts as well as the default sentences.

2 Heard the learned Advocate appearing for the applicant/accused. He argued that the learned trial Court, after conviction of the applicant/accused, has been pleased to suspend the substantive sentences imposed on the applicant/accused. He further pointed out that the applicant has deposited entire amount of fine.

3 The learned Additional Public Prosecutor appears for respondent/State.

4 Considering the fact that the substantive sentence of imprisonment imposed on the applicant/accused has already been suspended by the learned trial Court as well as the fact that short sentence of imprisonment is imposed on the applicant/accused and the appeal may not be heard within short period of two years, 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 of Rs.15,000/- and on furnishing surety in the like amount.

(iii) The application is disposed of accordingly.

(A.M.BADAR J.)