

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.150 OF 2019

IN

CRIMINAL APPEAL NO.150 OF 2019

Santoshkumar Prahladchandra Sharma ... **Applicant**

V/s.

Central Bureau of Investigation& Anr. ... **Respondents**

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Mr.Pramod N. Patil i/b. PNP & Associates, Advocate for the Applicant.

Ms.Rebecca Gonsalvez, Advocate for the Respondent No.1/CBI.

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

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CORAM : A.M.BADAR J.

DATED : 7th 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 the another count, he is sentenced to suffer rigorous imprisonment for two years. Apart from this, some fine so also

default sentence is imposed. The learned trial Court had directed that the substantive sentences shall run concurrently.

2 Heard the learned Advocate appearing for the applicant/accused so also the learned Counsel appearing for the respondent No.1 /CBI. The learned Additional Public Prosecutor appears for the respondent No.2/State.

3 The appellant/accused was on bail during pendency of the trial. Even after recording conviction against him, the substantive sentence of imprisonment imposed on him has been suspended by the learned trial Court. In this view of the matter, 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.)