

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.728 OF 2019
IN
CRIMINAL APPEAL NO.687 OF 2019
with
CRIMINAL APPEAL NO.687 OF 2019**

Prashant s/o. Balasaheb Shinde ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr.N.V. Gaware i/b V.S. Tadake for the Applicant

Mr.N.B. Patil, APP, for the Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: MAY 3, 2019

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. The applicant/accused is convicted under sections 7, 13(1) and section 13(2) of the Prevention of Corruption Act, 1988 and the maximum punishment awarded is 3 years RI and fine of Rs.15,000/-.
3. The learned Counsel submits that the trial Court has already suspended the impugned sentence under section 389 of Code of

Criminal Procedure by order dated 28.3.2019. He submits that the applicant/accused was no bail throughout the trial and hence, the impugned sentence be further suspended pending the appeal and bail be granted to the appellant.

4. Learned Prosecutor submits to the orders of the Court.

5. In view of the submissions of the learned Counsel and also as there is no chance that the Appeal will be heard in near future, the Appeal is admitted and the Criminal Application No.728 of 2019 is allowed on the following terms:

- i) The impugned sentence shall stand suspended pending the appeal and the applicant/accused be released on the same bail amount, however, with fresh bond;
- iii) The applicant/accused shall make himself available on all the Court dates.

6. Criminal Application stands disposed of accordingly.

7. All concerned to act on an authenticated copy of this order.

(MRIDULA BHATKAR, J.)