

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 992 OF 2019
IN
CRIMINAL APPEAL NO. 872 OF 2019

Premnath Atmaram Nikumbe

.. Appellant

Versus

Central Bureau of Investigation
and Anr.

.. Respondents

...

Mr. Dhananjay Singh i/b Shananjaysinh Jagtap for the Appellant.
Ms. Ameeta Kuttikrishnan, APP for Respondent No.1/CBI.
Mrs. Lohokare, APP for the State.

CORAM: P. N. DESHMUKH, J.

DATED : 17th OCTOBER, 2019.

PC:-

Issue notice to Respondents. Learned Counsel Ms. Ameeta Kuttikrishnan waives for Respondent No.1. Learned APP waives service for Respondent No.2/State.

2. This application is for suspension of sentence and for bail. Learned Counsel for applicant submitted that accused is imposed short sentence and the sentence is suspended by the Trial Court. It is also contended that the accused is on bail. Hence, prays

Wakodikar

that application may be allowed.

3. Learned Counsel for respondent opposed the application contending that there is direct evidence against the applicant.

4. Record would reveal that applicant is convicted for the offence punishable under Section 420 read with 120B of Indian Penal Code, under Section 466 read with 120B of Indian Penal Code, under Section 467 read with 120B of Indian Penal Code and under Section 468 read with 120B of Indian Penal Code and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs.3,000/-, in default to suffer simple imprisonment for two years on each counts. Applicant is further convicted for the offence punishable under Section 471 of Indian Penal Code and sentence to suffer rigorous imprisonment for two years.

5. From the pleadings, it is noted that sentence is already suspended by the Trial Court and applicant has also paid total amount of Rs.12,000/-. In that view of the matter and considering that applicant is imposed with short sentence, application is allowed

as per following order :

ORDER

(a) Applicant shall be released on bail on his executing PR bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand Only) with one surety in the like amount.

(b) While on bail, applicant shall mark his presence with the Registrar of City Civil and Sessions Court, Gr.Bombay, quarterly on the first day of such month.

(P. N. DESHMUKH, J.)