

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI. INTERIM APPLICATION NO. 731 OF 2020

IN

CRIMINAL APPEAL NO. 238 OF 2020

John R. Soares

... Applicant

Vs.

Union of India and Anr.

... Respondents

Mr. Milind Dhande i/b. Mr. Amit Ghag for Applicant.

Ms. Ameeta Kuttikrishnan for Respondent No.1-UOI.

Mr. Amit Palkar, A.P.P for Respondent No.2-State.

CORAM : A.S. GADKARI, J.

DATE : 28th October 2020.

PC. :

This is an application for suspension of sentence and releasing the applicant on bail.

2. Heard Mr. Dhande, learned counsel for the applicant, Ms. Kuttikrishnan, learned counsel for respondent No.1 and Mr. Palkar, learned A.P.P for the respondent-State.

3. The applicant has been convicted under Section 420, 467, 468, 471 read with 120-B of the Indian Penal Code and is sentenced to suffer rigorous imprisonment for six months and to pay a fine of Rs.8,000/- by the learned Special Judge (CBI), Gr. Bombay in CBI Special Case No.89 of 2000 by its Judgment and Order dated 20th December 2019.

4. Learned counsel for the applicant submitted that, the applicant has already deposited the entire fine amount in the Registry of the Trial Court.

The sentence imposed upon the applicant is a short term sentence of six months of rigorous imprisonment. The possibility of hearing the present Appeal on its own merits in near future is remote.

5. In view thereof, I am inclined to suspend the sentence imposed upon the applicant and release him on bail.

Hence, the following Order :-

- (i) During the pendency of the present Appeal, the substantive sentence imposed upon the applicant is suspended.
- (ii) The Applicant be released on bail in CBI Special Case No.89 of 2000 on his furnishing P.R. bond of Rs.15,000/- with one or two local sureties in the like amount.
- (iii) Applicant shall not tamper with the evidence and/or interfere with the process of investigation.

6. Application is allowed in the aforesaid terms.

7. This Order will be digitally signed by the Personal Assistant of this Court. All the concerned will act on production by fax or e-mail of a digitally signed copy of this Order.

(A.S. GADKARI, J.)