

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 897 OF 2021
IN
CRIMINAL APPEAL NO. 232 OF 2021**

Krushnat Yashwant Mulik	...Applicant
Versus	
State of Maharashtra	...Respondent

Mr. Ajay L. Bhise a/w Mr. Ramesh Badi for the Applicant.

Mr. P.H.Gaikwad, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.
DATE : 12th MARCH, 2021

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks suspension of his sentence and enlargement on bail, pending the hearing and final disposal of his appeal.
3. The applicant, vide judgment and order dated 26/02/2021

passed by the Special Judge under Prevention of Corruption Act, 1988, Satara, in Special (ACB) Case No. 5 of 2015, has been convicted and sentenced as under :-

- for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988 to suffer rigorous imprisonment for 3 years and to pay fine of Rs.10,000/-, in default to undergo further simple imprisonment for 2 months;
- for the offence punishable under Section 13(1)(d) r/w 13(2) of the Prevention of Corruption Act, 1988 to suffer rigorous imprisonment for 4 years and to pay fine of Rs.10,000/-, in default, to undergo further simple imprisonment for 2 months;

All the substantive sentences were to run concurrently.

4 Perused the papers. It is not in dispute that the applicant was on bail pending the trial and that he has not misused the liberty granted to him. The appeal which is admitted by a separate order passed today in the aforesaid appeal. The sentence imposed is a short term sentence and the appeal is not likely to be heard in the immediate near future. The applicant has also deposited the fine amount in the Trial Court.

5. Considering the aforesaid, the application is allowed and the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of his appeal, on the following terms and conditions :-

ORDER

- i) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount;
- ii) The applicant shall report to the trial Court, once in four months on the day/date specified by the trial Court, till his appeal is finally disposed of;
- iii) The applicant shall keep the trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time;
- iv) If there are two consecutive defaults in appearing before the trial Court, the learned Judge shall make a report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of bail.

6. The application is accordingly disposed of.
7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.