

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1102 OF 2021

IN

CRIMINAL REVISION APPLICATION NO. 90 OF 2021

Jignesh Rajendra Bhatt

... Applicant

V/s.

Central Bureau of Investigation & Anr.

... Respondents

Mr.Subhash Jha i/b. Law Global for Applicant.

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

Mr.S.S. Hulke, A.P.P. for Respondent No.2-State.

CORAM : A.S. GADKARI, J.

DATE : 9th April 2021.

PC. :

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

2. The Applicant is original Accused No.2 in C.C. No.1015/PW/2009 (Old C.C. No.07/CP/1999).

The Applicant has been convicted under Section 420, 471, and 120-B of the Indian Penal Code and was directed to suffer maximum simple imprisonment for 3 years and to pay a total fine of Rs.15,000/- by the Addl. Chief Metropolitan Magistrate, 3rd Court, Esplanade, Mumbai in C.C. No.1015/PW/2009 (Old C.C. No.07/CP/1999).

Criminal Appeal No. 613 of 2011 filed by the Applicant has

dismissed by the learned Special Judge (CBI), Gr. Mumbai by its Judgment and Order dated 2nd March 2021.

3. Mr.Jha, learned counsel for the Applicant, on instructions, submitted that, the Applicant has already deposited the entire fine amount in the Registry of the Trial Court. He on instructions further submitted that, the Applicant was on bail during trial so also during the pendency of the appeal and there is no report of breach of any of the conditions imposed upon him.

4. The sentence imposed upon the Applicant is a short term sentence. The possibility of hearing the present Appeal on its own merits in near future is remote. In view thereof, the sentence imposed upon the Applicant can be suspended and he can be released on bail.

5. Hence, the following Order :-

- (i) During the pendency of the present Appeal, the substantive sentence imposed upon the Applicant is suspended.
- (ii) Applicant be released on bail in C.C. No.1015/PW/2009 (Old C.C. No.07/CP/1999) on his furnishing P.R. bond of Rs.25,000/-, with one or two local sureties in the like amount.

6. Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]