

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3681 OF 2022

IN

CRIMINAL APPEAL NO. 836 OF 2022

SUBHASH VITHAL JADHAV

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Appellant : Mr. Kawade Shrikant G.

APP for State : Mr. P. N. Kutti

...

CORAM : KISHORE C. SANT, J.

DATE : 11th NOVEMBER 2022.

Per Court :

Heard.

1. This is an application seeking suspension of sentence awarded by the learned Special Judge, Osmanabad dated 12.10.2022 in Special Case (ACB) No.18/2016. The Applicant is held guilty for the offences punishable under Sections 7, 8, 13(1)(d) read with 13(2) of the Prevention of Corruption Act, 1988 ('P.C. Act' for short). The maximum

sentence is of four years and to pay fine of Rs.500/- for the offence punishable under Section 13(1)(d) read with 13(2) of the P. C. Act.

2. At the outset, learned Advocate for the Applicant submits that due to inadvertence, the State is shown as through Kalidas Nagnath Nannaware, who was the Complainant. He prays for leave to delete the said name. Correction be carried out forthwith.

3. Learned Advocate for the Applicant submits that he has already deposited the amount of fine. During the trial, Applicant was on bail and there is no allegation against him. He further submits that the Applicant is in jail since the date of judgment i.e. 12.10.2022. He further submits that considering the sentence is short term sentence, sentence be suspended and the Applicant be released on bail.

4. Considering that the appeal may not come up for hearing in near future, the application deserves to be allowed. Hence the following order.

ORDER

(i) The sentence is suspended till further order.

- (ii) The Applicant shall be released on bail on furnishing fresh P. R. Bond on the same terms and conditions, as he was released during the trial.
- (iii) Bail bond to be furnished before the trial Court.
- (iv) With this, the Criminal Application is disposed off.

[KISHORE C. SANT, J.]

Najeeb.