

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1041 OF 2022
IN
CRIMINAL APPEAL NO.317 OF 2022

Virendra DevidasDoke
versus

Applicant

The Central Bureau of Investigation and anr.

Respondents

Mr.Sanjeev Kadam i/by Mr.Samadhan A. Kashid, Advocate for applicant.

Mr.Kuldeep S. Patil, Special P.P. for respondent no.1.

Mr.Ajay Patil, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 12th April 2022

PC :

1. This is an application for suspension of sentence and grant of bail during pendency of Criminal Appeal No.317 of 2022. The applicant is convicted by judgment and order dated 3rd March 2022 passed by learned Special Judge-CBI for the offence under Section 12 of Prevention of Corruption Act and sentenced to suffer imprisonment for three years.

2. The applicant was on bail during trial. Sentence of imprisonment was suspended by Trial Court. By order dated 30th March 2022 suspension was continued by this Court by way of interim relief.

3. Learned counsel for applicant submitted that fine amount has been deposited. Sentence is of short term. The appeal may not reach for hearing.

4. Learned advocate for respondent submit that there is sufficient evidence against applicant. He has abetted the co-accused in committing crime.

5. Considering the fact that sentence is of short term which has been suspended on the date of conviction and other factual aspects, this application can be allowed.

ORDER

- (i) Interim Application is allowed and disposed of;
- (ii) The sentence of imprisonment imposed vide judgment and order dated 3rd March 2022 by Special Judge-CBI, for Greater Bombay in CBI Special Case No.25 of 2016 is suspended and applicant is directed to be released on bail on executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant is permitted to furnish cash bail in the sum of Rs.25,000/- for a period of ten weeks in lieu of sureties;
- (iv) The applicant shall attend Trial Court once in six months on first Saturday of the month till disposal of the Criminal Appeal;
- (v) In the event there are two consecutive defaults in attending the Trial Court, the Trial Court shall submit report to this Court;
- (vi) In the event of default committed by the applicant in attending the Trial Court, the prosecution will be at liberty to prefer application for cancellation of bail.

(PRAKASH D. NAIK, J.)

MST