

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1876 OF 2022**

IN

CRIMINAL APPEAL NO. 619 OF 2022

Milind Keraba Wavare

.....Applicant

Vs.

The State of Maharashtra

.....Respondent

Mr. Ajit Savagane for the Applicant.

Ms. S. S. Kaushik, APP for State.

CORAM : A. S. GADKARI, J.

DATE : 24th JUNE, 2022.

P.C.:-

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

2. Applicant is convicted under Section 8 of the Prevention of Corruption Act, 1988 and sentenced to suffer simple imprisonment for one year and to pay a fine of Rs.5,000/- by the learned Special Judge, Kolhapur in Special Case ACB No.16 of 2015 by its Judgment and Order dated 7th June, 2022.

3. Learned Advocate for the Applicant submitted that, the Applicant was on bail during the pendency of trial and there is no report of breach of any of the conditions imposed upon him. He further submitted that, the Applicant has already deposited entire fine amount in the registry of the trial Court.

The maximum sentence imposed upon the Applicant is one year of simple imprisonment. Possibility of hearing the present Appeal on its own merits in near future is remote. This Court therefore is of the view that, during the pendency of present Appeal the substantive sentence imposed upon the Applicant can be suspended and he can be released on bail.

4. Hence, following Order:-

- (i) The Applicant/Accused No.2 in Special Case ACB No.16 of 2015 be released on bail on his furnishing P .R. Bond of Rs.25,000/- along with one or two solvent local sureties in the like amount.

5. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)