

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.2695 OF 2021
IN
CRIMINAL APPEAL NO.915 OF 2021**

Ganesh Jagannath Kolhe & Ors. .. Applicants/Appellants
Versus
The C.B.I., A.C.B. and Anr. .. Respondents

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Mr.Nitesh Mohite i/b. Mr.Sachin T. Zalte, Advocate for the Applicants/
Appellants.
Ms.P.N. Dabholkar, APP for the Respondent – State.
Mr.H.S. Venegaonkar, Spl. P.P. for CBI.

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CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 27, 2022.

P.C. :

This is an application for suspension of sentence and grant of bail, pending criminal Appeal No.915 of 2021.

2 The applicants were convicted for the offence punishable under Section 420 read with Section 120-B of IPC and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs.50,000/-, each. Applicant no.1 is also convicted for the offence punishable under Section 468 read with Section 120-B of IPC, and, sentenced to undergo rigorous imprisonment for three years and to

pay fine of Rs.50,000/-. Both the sentences of imprisonment were directed to run concurrently.

3 The fine amount imposed on both the counts have been deposited by the appellant before the trial Court.

4 The sentence imposed against the applicants by the trial Court is of a short term. Appeal may not come up for hearing within short span of time. Vide order dated 1st December, 2021, the sentence was suspended till the next date. The trial Court has suspended the sentence after conviction till 5th November, 2021. The said relief was continued by this Court. In view of the above, the relief sought in this application can be granted.

5 Hence, I pass the following order:

:: ORDER ::

- (i) Interim Application No.2695 of 2021, is allowed;
- (ii) During the pendency of Criminal Appeal No.915 of 2021, the sentence of imprisonment imposed vide judgment and order dated 5th October, 2021, passed by Special Judge

(CBI-ACB), Pune, in Special Case No.9 of 2018, is suspended and the applicants/appellants are directed to be released on bail on executing P.R. Bond in the sum of Rs.25,000/-, each, with one or more sureties in the like amount;

(iii) Applicants/appellants are permitted to furnish cash bail security of Rs.25,000/-, each, for a period of ten weeks, in lieu of surety;

(iv) Applicants/appellants shall attend the trial Court once in six months on first Saturday of the month between 11:00 a.m. to 01.00 p.m.;

(vi) In the event of two consecutive defaults in attending the trial Court by the applicants/appellants, the prosecution is at liberty to move an application for cancellation of bail;

(vi) Interim Application No.2695 of 2021, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)