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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 596 OF 2019
IN
CRIMINAL APPEAL NO. 1345 OF 2019

Mahaveer Prasad Bhandari ... Appellant/Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Prakash V. Vare, advocate for applicant.

Mr. Kuldeep Patil, Special PP for CBI.

Ms. P.N. Dabhokar-APP for the State.

CORAM : PRAKASH D. NAIK, J.

DATED : MARCH 21, 2022.

P.C. :

1. This is an application for suspension of sentence and grant of bail.

2. The applicant is convicted for the offence under section 420 read with 120-B of Indian Penal Code, Section 120-B of Indian Penal Code and Section 13(1) (d) read with 13(2) of Prevention of Corruption Act, 1988. He has been sentenced to suffer imprisonment for one year and to pay fine of Rs. 15,000/-. Imprisonment of 6 months and fine of Rs. 25,000/- and imprisonment of one year and fine of Rs. 25,000/- on each count. The total fine amount imposed upon the applicant is tune of Rs. 1,00,000/-

3. The appeal challenging the judgment of conviction dated 24th September 2019 has been preferred before this Court immediately after the conviction.
4. Sentence of imprisonment was suspended by the trial Court to enable the applicant to prefer the appeal. The applicant was directed to deposit fine of Rs. 1,00,000/- on each count.
5. Learned advocate for the applicant has pointed out that the receipts and order passed by the trial Court, which indicate that the entire fine has been deposited in the trial Court.
6. Learned APP submitted that the applicant has been convicted for various offences. There is sufficient evidence against him.
7. The maximum imprisonment imposed by the trial Court for the conviction is one year and fine amount has been deposited. Hence the application for suspension of sentence and grant of bail can be allowed.

ORDER

- (i) Interim Application is allowed and disposed of;
- (ii) The sentence of imprisonment imposed vide judgment and order dated 24th September 2019 passed by learned Special Judge (CBI), Greater Bombay in Special

Case No. 112 of 2010 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 eight 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)