IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO. 625 OF 2006

Dinkar S/o Dattaniwas Khadatkar
Aged about 25 years,
R/o Siddharth Nagar, Nagpur ... Appellant

// VERSUS //

State of Maharashtra, through Deputy Superintendent of Police, Anti Corruption Bureau, Yavatmal ... Respondent

Shri S.V.Bhutada, Advocate for appellant
Shri S.D.Sirpurkar, APP for the State / Respondent.

CORAM : ANIL S. KILOR, J.
DATED : 15th DECEMBER, 2022.

ORAL JUDGMENT :

This appeal is directed against the judgment and order dated 20th October, 2006 passed by the Special Court, Yavatmal constituted under the Prevention of Corruption Act, 1988 in Special Case No. 2/1999, convicting the appellant/accused for the offence punishable under Sections 7 and 13(1)(d) read with Section 13(2) of Prevention of Corruption Act, 1988 (in short referred as “the Act of 1988”).

2. It is the case of the prosecution that the complainant Devising Ashoksing Solanke, R/o Asegaon (Devi), Tq. Babhulgaon is having his agricultural land at Asegaon (Devi). Before the death of his father

Ashoksing on 17.11.1999, Ashoksing purchased 1 H. 64 R of land from Mahadeo Junghare R/o Asegaon. Copy of the sale-deed was given to then Talathi Jawalkar of Asegaon (Devi). However, the mutation of that land in the name of Ashoksing as per that sale-deed and after his death, in the name of the legal representatives of Ashoksing Solanke was not made. It is alleged that in January, 1998, complainant Devisingh Ashoksing Solanke met with accused Dinkar Khadatkar, Talathi at Asegaon Devi and told him that copy of the sale-deed of agricultural land purchased by his father was given to Jawalkar talathi and whether that agricultural land is mutated in the name of his father and whether his name and the name of his mother and sister are recorded as legal heirs of his father Ashoksing. On that accused Dinkar Khadatkar, talathi has told the complainant that the copy of the sale-deed of his father is not found and asked the complainant to come with copy of sale-deed and amount of Rs.300/- and then he will take the mutation entry. Complainant Devising, therefore, had given him copy of sale-deed in the name of his father and amount of Rs.300/- to talathi Dinkar Khadatkar.

3. It is alleged that on 02.04.1998 while the complainant was sitting near Javed Cycle Store which was by the side of his house at Asegaon (Devi), accused Khadatkar talathi was going by that road. Complainant Devising, therefore, went near talathi Khadatkar and enquired him as to whether the mutation is made and on that accused had informed him that he had made the mutation in the name of his father. Accused then told the complainant that for recording the names of legal heirs, he shall bring death certificate of his father, certificate from Gram

Panchayat stating that they are resident of Asegaon (Devi) and the certificate from police patil that they are the legal heirs of his father Ashoksing. Accused also asked the complainant that he shall again give an amount of Rs.300/- to him for that purpose of recording L.Rs. Complainant has told accused that he had already paid an amount of Rs.300/- and on that accused told him that amount was for recording the mutation in the name of his father and to bring legal representatives, additional amount of Rs.300/- is to be paid. Complainant Devising requested accused that he is not having any amount and he can only pay of Rs.100/-. Accused Khadatkar thereon, asked the complainant that he shall have to pay atleast Rs.200/- and asked him to bring that amount of Rs.200/- and the papers till about 12.00 noon on 4th April, 1998 Saturday at his house at Dabha (Pahur). Devising Solanke was not prepared to pay him a bribe and hence he on 3rd April, 2003 went at ACB Office, Yavatmal and lodged report (Exh.44) against accused, with Shri Prabhakar Mahure, Dy. S.P. ACB, Yavatmal, who thereafter made pre-trap preparations including pre-trap panchanama.

4. Thereafter, as per instruction, the complainant and panch no.1 Omprakash Gaurkar went on foot at the house of accused Khadatkar Talathi and panch no.2 and members of the raiding party with Dy. S.P. Mahure went behind them by keeping some distance. Complainant and panch no.1 at about 9.15 am went at the house of accused near Shri Mohan Maharaj Mandir. At that time, panch no.2 and the members of the raiding party and Dy.S.P. Mahure took the position near by.

5. It is further stated that when the informant gave a call to the accused one women came and informed that he had gone to field situated near ST Stand. On that Mr. Mahure asked the informant to go his field. Thereafter, PW-1 and panch witness had gone to ST Stand and after receiving the information from the Pan Thela wala about the location of field of the accused the informant and panch no.1 went to the field of the accused where the informant and the panch no.1 found one person wearing baniyan and pant, who was working near that thresher, came near the complainant and panch no.1 and he had a talk with them. At that time, panch no.2 and other members of the raiding party were minutely observing to the complainant, panch no.1 and the person who was talking with the complainant. At about 9.30 am that person worn one shirt and with the complainant and panch no.1, went at tea canteen near bus stand and sat there. Panch no.2 and other members of raiding party had taken the position keeping some distances. After a while, complainant, panch no.1 and that third person who was with them, came out of the tea canteen and started going by the road towards village Dabha. At about 10.10 pm when they crossed distance of about 130 feet from the tea canteen, complainant by itching his head with left hand gave the signal to the raiding party and thereupon, raiding party caught hold the accused.

6. Shri Mahure, then prepared the report (Exh.59) and then sent it with P.C. Pramod Khate at police station, Babhulgaon and on that offence vide Crime No. 3058/99 dated 04.04.1998 under Sections 7, 13(1)(d), 13(2) of Prevention of Corruption Act, 1988 was registered. FIR Exh.60.

7. The papers of investigation were then forwarded to Collector at Yavatmal and Shri Rajiv Jalota (P.W-5, Exh.71), the then Collector, accorded sanction (Exh.72) for the prosecution of Dinkar Khadatkar, talathi and sent it to S.P., A.C.B. Yavatmal. On getting the sanction order, Dy.S.P. Mahure presented the chargesheet against accused Dinkar Khadatkar before the Special Court, Yavatmal on 16th March, 1999.

8. The learned trial Court framed the charge against the accused at Exh.13 for the offence punishable under Section 7, 13(1)(d) punishable under Section 13(2) of Prevention of Corruption Act. Accused denied the charges and claimed the trial.

9. Prosecution has examined complainant Devising Solanke (P.W-1) at Exh.49, panch no.1 Omprakash Gaurkar (P.W-2) at Exh.48, P.C.Prabhakar Khate (P.W-3) at Exh.58, P.C.Uttamrao Nawthale (P.W-4). Shri Mahure, Dy. Superintendent of Police. During the pendency of this trial. Shri Mahure, Dy. Superintendent of Police who conducted the raid was reported dead and therefore, PW-4 P.C. Uttamrao Nawthale was examined as he was working with Shri Mahure Dy. Superintendent of Police, Mahure. Prosecution also examined Shri Rajiv Jalota, Collector, Yavatmal as P.W-5 at Exh.71 and proved the sanction order (Exh.72).

10. The learned trial Court after marshelling the oral as well as documentary evidence passed the impugned judgment and order dated 20th October, 2006 convicting the appellant/accused for the offence punishable under Sections 7, 13(1)(d) read with Section 13(2) of the

Prevention of Corruption Act, 1988 and thereby sentencing him to suffer rigorous imprisonment for six months with a fine of Rs.250/-, in default further to undergo simple imprisonment for fifteen days for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988. He is further convicted for the offence punishable under Section 13(1)(d) read with section 13(2) of Prevention of Corruption Act and is sentenced to suffer simple imprisonment for one year with a fine of Rs.250/- in default further undergo simple imprisonment for six months.

11. I have heard Shri Bhudata, learned counsel for the appellant and Shri Sirpurkar, learned Additional Public Prosecutor for the respondent/State.

12. Shri Bhutada, learned counsel for the appellant has made following submissions:

a) The prosecution has failed to establish demand which is a *sine qua non* to constitute the offence under the Act of 1988.

b) The verification of demand was not made.

c) From the evidence of the sanctioning authority it is apparent that he has not applied the mind before granting sanction.

d) Independent witnesses were not examined.

e) The evidence shows that there was a chase by the raiding party, as if they had come out to trap the applicant in the alleged offence.

In support of his contention, he has placed reliance of judgment of Hon'ble Supreme Court in the case of *State of Punjab v/s Madan Mohan Lal Verma*[1]*,B. Jairaj ..vs.. State of Andhra Pradesh*[2] and *Mukhtiar Singh V/s State of Punjab*[3].

13. On the other hand, Shri Sirpurkar, learned Additional Public Prosecutor makes following submissions.

i. Prosecution has successfully proved demand and acceptance of bribe.

ii. The sanctioning authority has applied his mind before granting sanction

iii. As the evidence of P.W-1 and P.W-2 sufficiently proved the case of the prosecution, in absence of corroborative evidence, the result would not change.

14. In the backdrop of the submissions of the rival parties, I have perused the record and proceedings and the impugned judgment and order of the trial Court.

15. The Hon'ble Supreme Court of India while dealing with the law on 'demand of illegal gratification', in the case of *State of Punjab v/s Madan Mohan Lal Verma (supra),* has held thus:

> *"11. The law on the issue is well settled that 'demand of*

1 2013 (14) SCC 153
2 (2014) 13 SCC 55
3 (2017) 8 SCC 136

> *illegal gratification is sine qua non for constituting an offence under the 1988 Act. Mere recovery of tainted money is not sufficient to convict the accused when substantive evidence in the case is not reliable, unless there is evidence to prove payment of bribe or to show that the money was taken voluntarily as a bribe. Mere receipt of the amount by the accused is not sufficient to fasten guilt, in the absence of any evidence with regard to demand and acceptance of the amount as illegal gratification. Hence, the burden rests on the accused to displace the statutory presumption raised under Section 20 of the 1988 Act, by bringing on record evidence, either direct or circumstantial, to establish with reasonable probability, that the money was accepted by him, other than as a motive or reward as referred to in Section 7 of the 1988 Act. While invoking the provisions of Section 20 of the Act, the court is required to consider the explanation offered by the accused, if any, only on the touchstone of preponderance of probability and not on the touchstone of proof beyond all reasonable doubt. However, before the accused is called upon to explain how the amount in question was found in his possession, the foundational facts must be established by the prosecution. The complainant is an interested and partisan witness concerned with the success of the trap and his evidence must be tested in the same way as that of any other interested witness. In a proper case, the court may look for independent corroboration before convicting the accused person."*

16. In the case of *B. Jairaj ..vs.. State of Andhra Pradesh* (supra) while considering the issue whether mere possession and recovery of the currency notes from the accused is sufficient to hold that there was a demand of bribe, the Hon'ble Supreme Court of India held thus:

> "8. … *We are, therefore, inclined to hold that the learned trial court as well as the High Court was not correct in holding the demand alleged to be made by the accused as proved. The only other material available is the recovery of the tainted currency notes from the possession of the accused. In fact such possession is admitted by the accused himself. Mere possession and recovery of the currency notes from the accused without*

> *proof of demand will not bring home the offence under Section 7. The above also will be conclusive insofar as the offence under Sections 13 (1) (d) (I) and (ii) is concerned as in the absence of any proof of demand for illegal gratification, the use of corrupt or illegal means or abuse of position as a public servant to obtain any valuable thing or pecuniary advantage cannot be held to be established.*
>
> *9. Insofar as the presumption permissible to be drawn under Section 20 of the Act is concerned, such presumption can only be in respect of the offence under Section 7 and not the offences under Sections 13 (1) (d) (I) and (ii) of the Act. In any event, it is only on proof of acceptance of illegal gratification that presumption can be drawn under Section 20 of the Act that such gratification was received for doing or forbearing to do any official act. Proof of acceptance of illegal gratification can follow only if there is proof of demand. As the same is lacking in the present case the primary facts on the basis of which the legal presumption under Section 20 can be drawn are wholly absent."*

17. Thus from the above referred judgments, it is clear that demand of illegal gratification is *sine quo non* for constituting an offence under the Act of 1988. It is further clear that mere recovery of tainted money is not sufficient to convict the accused when substantive evidence in the case is not reliable. Proof of acceptance of illegal gratification can follow, only if, there is proof of demand.

18. As held in the case of *Mukhtiar Singh V/s State of Punjab* (supra), by the Hon'ble Supreme Court of India that, the prosecution in order to prove the charge under the provisions of Sections 7 and 13 of the Act, has to establish by proper proof, the demand and acceptance of illegal gratification and till that it is accomplished, the accused should be considered to be innocent and mere possession and recovery of the

currency notes from the accused without proof of demand would not establish an offence under Section 7 as well as Section 13 (1)(d) read with Section 13(2) of the Act, evidence on record has to be scrutinized to find out whether foundational facts are established on demand.

19. It is settled law that demand is *sine qua non* to constitute an offence under the provisions of Act, 1988.

20. It is imperative to examine whether in this case the prosecution has proved the demand. For this purpose the evidence of P.W-1 complainant and P.W-2 Shadow witness panch no.1 is important.

21. It has come in the evidence of P.W-1 that his father Ashok Singh Solanke died on 17th November, 1995. He further states that prior to death, his father had purchased agricultural land admeasuring 1H 62 A at Asegaon Devi from Mahadeo Junghare. One day in January, 1998 he met to accused at Talathi Office, Asegaon Devi and told him that they are intending to get the agricultural land recorded in the name of his father muted in the name of legal heirs. On that the accused said that they will be required to give documents of agricultural land. He said to accused that his father had given documents of agricultural land to Shri Jawalkar, Talathi. On that accused replied that he would look into the matter.

22. PW-1 further deposes that after about three to four days, PW-1 met to accused at talathi office, Asegaon and asked him whether entry of field in the name of his father was made in the record. On that accused told informant that the entry in the name of his father is taken and for

recording the names of legal heirs of his father, the informant should give him certificate of Sarpanch, certificate of Police Patil and copy of will-deed and Rs.300/- to him.

23. On 02.04.1998 while he was sitting in bicycle shop which is infront of his house, he saw the accused while proceeding by the road. He met to accused and asked him whether entry is taken in the record. On that accused told him that the entry in the name of his father is taken and for recording the names of legal heirs of his father, he should give him certificate of Sarpanch, certificate of police patil, copy of will-deed and Rs.300/- to him. On that PW-1 said to accused that he is a poor person and he has no capacity to pay Rs.300/-, he will pay Rs.100/- to accused. On that accused said that he will have to pay atleast Rs.200/-. Accused said to him that he should come to his house at Dabha on 4th April, 1998 i.e. Saturday till 12 in the noon along with documents and Rs.200/- as P.W-1 was not intending to give bribe to the accused, he lodged complaint.

24. From the above oral evidence, it can be seen that first demand according to P.W-1 was made 2nd April, 1998 while he was sitting in a bicycle shop. The bicycle shop's owner was not examined by the prosecution to corroborate the said fact.

25. PW-1 further states in his oral testimony that Mr. Mahure, panch witnesses, police constables and he himself went in jeep at about 8.00 am from the office ACB, Yavatmal proceeded for Dabha village near

water tank. He himself and panch witness Gaurkar had gone to the house of accused Khadatkar Talathi and remaining persons of the party had followed them. When he gave a call at Patwari saheb, one woman came near door and told that talathi saheb had gone to the field situated near ST Bus stand and in that field the threshing operation of wheat is going on. On that he himself and panch witness Gaurkar proceeded to the field of accused. Near the temple of Mohan Maharaj, Mr. Mahure and other members of party have met him. PW-1 told to Mr. Mahure that accused was present in his field. On that Mr. Mahure had asked him to go to his field and PW-1 and panch Gaurkar had gone to ST stand. Accused was threshing wheat crop in the field. After seeing him, the accused came to him and asked about the amount. On that PW-1 replied that he told to Panch Gaurkar that the person who is coming to him is Khadatkar Talathi. Accused had asked him, did he bring document. On that PW-1 told that he brought the document also. He further states that at that time accused was wearing baniyan. Then the accused had gone to thresher and by wearing shirt, he came to him. Accused said to him that they would go to ST Stand for taking tea. Along with the accused, PW-1 and panch Guaurkar, had gone to hotel at bus stand. Accused gave order for tea. Both three persons sat in the hotel. P.W-1 asked to accused whether he should give amount to him. On that accused said that PW-1 should give him document here and give the amount while proceeding by the road. PW-1 gave the documents to the accused. Then they took tea. He gave Rs.3/- bill of tea. Then along with the accused, PW-1 and panch Gaurkar proceeded for going to the house of accused. After walking a distance of 125 to 150 feet from bus stand, accused demanded amount of Rs.200/-. He had taken out Rs.200/- from the pocket of his shirt and gave it to the accused. Accused had unfolded those notes and then kept them in the pocket of his shirt. As soon as accused accepted the tainted amount by itching his head, he had given pre-decided signal to the officials of Anti Corruption Bureau. On that two personnel of Anti Corruption Department by running came there and they caught hold the hands of the accused.

26. The above evidence shows that P.W-1 and P.W-2 went to the field and met him and from the field then they went to the hotel at bus stand where they ordered the tea at that time the informant asked the accused whether he should give amount to him on that he said that give the documents in the hotel and amount was proceeded by the road.

27. Thus, it is clear that there was a chase of the accused. The informant and trap party first went to the house of the accused, wherefrom, to the bus stand and from there to the field of appellant.

28. This Court in the case of Ramdas S/o Zaparaji Shahane Vs. State of Maharashtra[3] has held thus :

> "10. In this case, there is a clear-cut evidence that the accused refused to accept the money at his place. Undoubtedly the prosecution wants us to believe that the accused then offered that he would come to the house of the complainant. This is most unnatural. If the complainant had come with the money to his house, nothing really stopped the accused from accepting the

3 1996 Cri.L.J.1848

money if he had really decided to accept the same. The evidence is extremely unnatural. Apart from this, the accused would not be expected to leave the safety of his house and to go into the complainant's house to accept the money. That apart, even as to how much money was to be taken is also not brought on record satisfactorily. Whether and where was the first demand made by the accused is also left incomplete mystery. That apart, the further story that the raiding party waited for the accused to come firstly on the same night and secondly for almost the whole day on the next day appears to be really puzzling. If the accused did not come as per the version of the complainant, then that should have been normally the end of it. In this case, the investigating officer seems to have gone a step ahead in giving a hot chase to the accused. Having waited for the accused and seeing that the accused had not turned up, the trap should have been dissolved. Instead, as per the version of the panch. Thakare investigating officer himself told that well if the accused had not come upto the house of the complainant, then the raiding party should go to the accused. Not only did they go behind the accused but literally chased him by firstly going to his house and not finding him there, going to the S.T. Stand and not finding him to be there, going to the police station. Thus, it appears as if the raiding party was out to implicate the accused. The further most remarkable feature is that the money is not found on the person of the accused. There is a complete explanation for staining the fingers of the accused and it is that there was an attempt of thrusting the money into his hand and that has been deposed by the panch himself not only once but also in answer to the Court question. The further disturbing feature is that in fact nobody knew where the money was, and it was only the panch who spoke and expressed that money could be somewhere in the police station. The presence of the complainant and his whereabouts were not known when the accused was being given a hot chase. The possibility of the money being implanted near the cupboard cannot, therefore, be ruled out, That apart, there is further defect in the prosecution inasmuch as while according to the complainant, the accused had put the money into his shirt pocket, the said shirt pocket or the pant of the accused were never tested.

> All these defects would go a long way in bringing the whole prosecution story into a serious jeopardy. The complainant is not a person of a high stature or a spotless character. If he was bent upon to get the accused trapped, at least the investigating officer should not have played into his hands. It seems that both of them were too co-operative with each other."

29. In the present case, from the oral testimony of P.W.3 and 4, it can be seen that the Raiding Party was chasing the accused as if the Raiding Party ought to implicate the accused.

30. In the above referred backdrop, I will now refer to cross-examination of PW-1.

31. In the cross-examination the P.W-1 has categorically stated that his statement was recorded on 5th April, 1998 in the office of ACB. At the time of recording of his statement Panchas Gaurkar and Wagh were present in the office. He further admits that on 5th April, 1988 in the office of ACB, Mr. Mahure had obtained signatures of panch witnesses Gaurkar and Wagh on many papers. Thus, in view of above admissions the possibility of preparing panchanama sitting in the office of ACB and obtained the signature of the panchas, cannot be ruled out.

32. In the oral testimony of P.W-2, he has stated that he and Devising Solanke had gone to thresher machine from pan thela. Seeing us one person was putting on his person baniyan and full pant started coming towards us from threshing machine. Devising Solanke told him that he is Khadatkar Talathi. He further deposed that when Khadatkar Talathi came near to them Devising Solanke paid salute to him and said

that Saheb, as per your say he had brought the documents and he gave those documents, Khadatkar Talathi thereupon, asked as to whether he brought the amount as stated by him.

33. He further deposed that Devising Solanke asked Khadatkar Talathi, whether he should give him the amount which he brought as per his demand, on that Khadatkar Talathi said that not to give the amount here but give it while going outside and show him the documents. Devisingh Solanke gave documents to Khadatkar talathi. Khadatkar talathi saw those documents and kept in the chest pocket of his shirt. He further deposed that after taking tea, Devising Solanke gave Rs.3/- to canteenwala by taking it out from the back pocket of his full pant. Then PW-2 himself, Khadatkar talathi and Devisingh Solanke started proceeding towards village by the road. He further deposed that after crossing some distance Khadatkar talathi had asked to Devising Solanke to pay the amount. Devising Solanke had taken out two notes of Rs.100/- denomination from the chest pocket of his shirt with his right hand and gave to Khadatkar Talathi and he accepted the amount by his right hand.

34. He further deposed that employees of ACB have told Khadatkar Talathi they are the employees of ACB Department and he had been caught while accepting the bribe, by Anti Corruption Bureau. He further deposed as many persons started gathering there, therefore, Mahure Saheb had taken Khadatkar talathi in Gram Panchayat Office. He himself, Wagh, Devisingh Solanke and other members of raiding party all went in Gram Panchayat Office.

35. In the examination-in-chief of P.W-1 it has come that after holding the hands of the accused as the villagers started gathering the accused was taken to the Gram Panchayat office near the ST stands where the accused was asked to dip his fingers in the solution which turned violet and where the tainted amount of Rs.200 tainted amount was seized from the accused.

36. In the evidence of P.W-2 it has also come that from the spot where the accused was caught hold near ST Stand, from there he was taken to Gram Panchayat Office. In the Gram Panchayat Office accused was asked to dip his fingers of his left hand in the solution and thereupon the colour of the said solution was changed to violet.

37. Thus, from the oral testimony of both the witnesses it has come on record that from ST stand the accused was taken to Gram Panchayat Office and at that time the constable caught hold the hands of the accused. It has also come in the evidence that in the Gram Panchayat Office the accused was asked to dip his fingers in the solution. However, no evidence has been brought on record by the prosecution that during this period when he was taken to Gram Panchayat from ST stand, the constable who was with the accused and who caught hold the hands of the accused did not touch the fingers of the accused and the said constable was not asked to dip his finger in the solution, therefore, the possibility that the said constable applied powder to the hands of the accused, cannot be ruled out.

38. Moving to the oral testimony of the sanctioning authority, PW-5 Collector Yavatmal in his cross-examination has stated that he had made discussion in respect of papers that received by him where to accord the sanction with judicial section at his office. After discussion as he was satisfied that the sanction is to be accorded, he had issued sanctioned order. In the light of the said statement of the sanctioning authority a possibility of element of influence in decision making process, cannot be ruled out.

39. From the CA report it was seen that the trap was conducted on 4th April, 1998 and after eleven days i.e. 15th April, 1998 the samples were forwarded for chemical analysis to the Regional Forensic Laboratory which was received by the labourtary on 16th April, 1998. However, the police constable who had taken the said samples was not examined. Muddemal Register was not produced on record to show that for eleven days during the period the sample was lying in the police station, it was in a condition that nobody could tamper it. In absence of any such evidence even if the CA report is positive, it create doubts whether exhibits were tampered when it was in the police station and therefore, not safe to rest the conviction on such evidence.

40. Thus, in the light of the above referred discussion and the fact that the prosecution has failed to establish the demand and acceptance of the bribe amount by the appellant no offence would attract in this case. Accordingly, the conviction recorded by the learned trial Court is illegal and bad in law. In the circumstances, I have no hesitation to hold that the

impugned judgment and order dated 20th October, 2006 passed by Special Judge, Yavatmal in Special Case No. 2 of 1999 convicting the appellant is illegal and liable to be quashed and set aside. Accordingly, I pass the following order.

i. The criminal appeal is allowed;

ii. The judgment and order dated 20th October, 2006 passed by Special Judge, Yavatmal in Special Case No. 2 of 1999 is hereby quashed and set aside;

iii. The appellant is acquitted of the offence punishable under Sections Sections 7, 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988;

iv. His Bail Bonds shall stand cancelled;

v. The Muddemal Property be dealt with as per order of the learned Special Judge.

[ANIL S. KILOR, J.]

SACHINDANAND K NAIR

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