

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.2912 OF 2023
IN APEAL/710/2023 WITH APEAL/710/2023**

**SHUBHANGI PRALHAD SASANE
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Narwade Narayan B.
APP for Respondent/State : Mr. S.P. Deshmukh

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CORAM : S.G. MEHARE, J.

DATED : AUGUST 10, 2023

PER COURT:-

1. Heard learned counsel for the applicant.
2. The applicant was a lady Talathi. She was trapped for the demand and acceptance of bribe of Rs.10,000/- for separating the 7/12 extract. After full fledged trial, she has been held guilty and convicted for the offences punishable under Sections 7 and 13 (1)(d) of the Prevention of Corruption Act and sentenced to suffer R.I. for 4 years and fine of Rs.10,000/-.
3. Learned counsel for the applicant would submit that this is a first appeal. She was on the bail during the trial. The evidence needs to be re-appreciated. The normal rule suspending the sentence unless there are exceptional circumstances may be applied and sentence may be suspended.
4. Learned APP would argue that the accused/applicant was a lady Talathi who demanded the bribe of Rs.10,000/- for discharging

her services to the public. The offence is against the society. Her defence was correctly discarded. Hence, her sentence may not be suspended.

5. Perused the papers. She has been convicted under Section 7 and 13 (1)(d) of the Prevention of Corruption Act. There are no exceptional circumstances to deny the suspension. The appeal may take its time to conclude. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The execution, implementation, effect and operation of the order sentencing the applicant to suffer R.I. for 4 years for the offence punishable under Section 7 and 13 (1)(d) of the Prevention of Corruption Act imposed by the learned Special Judge (A.C.B.), Ahmednagar in Special A.C.B. Case No.22 of 2016 dated 03.08.2023 has been suspended till conclusion of the appeal.
- (iii) The applicant shall be released on bail on executing P.B. and S.B. of Rs.50,000/- with one solvent surety of the like amount.
- (iv) Bail before the learned Special Judge (A.C.B.), Ahmednagar.
- (v) The applicant shall be released only after depositing the fine amount.

(S.G. MEHARE, J.)