

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

910 CRIMINAL APPLICATION NO. 4265 OF 2023
IN CRIMINAL APPEAL NO. 1125 OF 2023

SANJAY NAGENDRABUWA BHARATI
VERSUS
THE STATE OF MAHARASHTRA

...
Mr. S.S. Bora – Advocate for Applicant
Mr. S.B. Narwade – APP for Respondent, State
....

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 30th November, 2023

PER COURT :

1. Heard.
2. Issue notice to the respondent.
3. Learned A.P.P. waives service for respondent, State.
4. Heard rival submissions.
5. This application is filed for suspension of substantive sentence of imprisonment by present applicant, who is admittedly convicted by the learned Additional Sessions Judge – 2, Bhokar, on 01.11.2023 in Special (A.C.B.) Case No. 1 of

2018 for the offence punishable under Sections 7 and 13(2) of the Prevention of Corruption Act. The maximum sentence of imprisonment appears to be of two years.

6. Though the learned A.P.P. opposed the application but it appears that, the applicant was on bail during the trial and even after conviction he was released on bail till the appeal period. He has also paid the fine amount. Considering all these aspects, following order is passed :-

ORDER

- (a) Application is hereby allowed.
- (b) The substantive sentence of imprisonment awarded to present appellant – accused by name Sanjay Nagendrabuwa Bharati by the learned Additional Sessions Judge – 2, Bhokar in Special (A.C.B.) Case No. 1 of 2018 on 01.11.2023 is hereby suspended during the pendency of the appeal and the appellant is released on execution of his P.R. bond of Rs.15,000/- with one solvent surety in the like

amount.

- (c) Bail in lower Court.
- (d) Criminal Application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE