

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 507 OF 2023
IN
CRIMINAL APPEAL NO. 134 OF 2023

Satish Padmanabh Bhat

...Appellant

Versus

State Of Maharashtra

...Respondent

....

Mr. Ashok Kumar Dubey i/by Savj Law Solutions Advocate for
Applicant/Appellant.

Mr. Amit Munde Special PP for Respondent/CBI. .

Mr. Y. M. Nakhwa, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 3rd JULY, 2023.

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PC.:-

1. This is an application for suspension of sentence and grant of bail during the pendency of Criminal Appeal preferred by the Applicant challenging the judgment of conviction.
2. The applicant has been convicted vide judgment and order dated 16th January 2023 passed by learned Special Judge CBI, Greater Bombay in Special Case No.115 of 2010 for offences punishable under Section 120(B) of IPC read with Sections 420, 467, 468, 471 read with 120(B) of Indian Penal Code. The applicant has been sentenced to suffer rigorous

imprisonment for six months on each count and directed to pay fine of Rs. 1,50,000/- for each offence. The total fine amount imposed upon the Applicant/Appellant is Rs. 7,50,000/-.

3. The applicant was on bail during the trial. The sentence of imprisonment was suspended on the date of conviction by the trial Court in accordance with Section 389 of Cr.PC. The order issuing sentence was extended by this Court.

4. Learned Advocate for the applicant submitted that, fine amount has been deposited. Learned Advocate for Respondent/CBI submitted that, the charge against the applicant has been proved. He is the beneficiary of subject transaction.

5. The sentence imposed by the trial Court is of short term. The appeal would not be taken up for hearing immediately. The applicant was on bail during the trial and even on the day of conviction which has been suspended. Hence, case for suspension of sentence is made out.

ORDER

- (i) Interim Application No. 507 of 2023 is allowed.
- (ii) The substantive sentence of imprisonment imposed vide Judgment and order dated 16th January 2023 passed by learned Special Judge CBI, Greater Bombay in Special Case No.115 of 2010 is suspended and the applicant is directed to be released on same bail granted by the trial Court with fresh bond.

- (iii) The applicant shall attend trial Court once in a six months on first Saturday of the Month between 11:am to 01:00 pm till further orders.
- (iv) Interim Application stands disposed off.

(PRAKASH D. NAIK, J.)