

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 1745 OF 2023
IN
APPEAL NO. 545 OF 2023**

V. Radhakrishnan ..Applicant
VS.
The State of Maharashtra ..Respondent

Mr. Prathamesh Naik i/b Mr. M.K. ocharekar, for the Applicant.
Mr. Kuldeep Patil, for CBI.
Ms. P. N. Dabholkar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 9, 2023

P.C. :

1. This is an application for suspension of sentence and grant of bail during the pendency of appeal.
2. The applicant has been convicted for offence punishable under Section 120-B of Indian Penal Code (for short "IPC") and sentenced to suffer imprisonment for one year. He is also convicted for offence under Section 420 r/w Section 120-B of IPC and sentenced to suffer imprisonment of two years. He is further convicted for offence under Sections 13(2), r/w Section 13(1)(d) of the Prevention of Corruption

Act, 1988 and sentenced to suffer imprisonment of two years and to pay fine of Rs.5,000/-.

3. The sentence is of short term. The appeal may not come up for hearing immediately. Considering the grounds urged in the appeal and the aforesaid circumstances, the sentence of imprisonment can be suspended.

ORDER

- 1.** Interim Application No. 1745 of 2023 is allowed;
- 2.** The substantive sentence of imprisonment imposed vide Judgment and order dated 28.03.2023 passed by learned Special Judge, (CBI) and Sessions Court, Gr. Mumbai in C.B.I. Special Case No.30 of 2003 is suspended and the applicant is directed to be released on same bail as in the trial Court with fresh bond;
- 3.** Interim Application stands disposed of accordingly.

(M. S. KARNIK, J.)