

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2302 OF 2023
IN
CRIMINAL APPEAL NO. 726 OF 2023

Chandramohan Appa Khot ...Applicant
Versus
Central Bureau Of Investigation And Anr. ...Respondents

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Mr. P G Sabnis Advocate for Appellant.

Mr. Shreeram Shirsat, Special PP with Anna Oommen 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.

P.C.:-

1. This is an application for suspension of sentence and grant of bail during the pendency of Criminal Appeal No. 726 of 2023 preferred by the applicant challenging the judgment and order dated 9th May 2023 passed by learned Special Judge, CBI for Greater Bombay in Special Case No.52 of 2016 convicting him for the offence punishable under Section 109 of Indian Penal Code read with 13(2) read with Section 13(1) (e) of Prevention of Corruption Act, 1988 and sentencing him to suffer simple imprisonment for a period of two years and pay fine of Rs. 25,000/-.

2. The applicant was on bail during the trial. The sentence of imprisonment has been suspended by the trial Court on the date of conviction for a temporary period.

3. Learned Advocate for the applicant submitted that, the wife of applicant, who has been convicted by the same judgment preferred application for suspension of sentence and grant of bail which has been allowed by order dated 12th June 2022.

4. Learned Advocate for Respondent/CBI submitted that, based on the evidence adduced during the trial, the applicant has been convicted for the offences.

5. Considering the fact that, the sentence is of short term. The applicant was on bail during the trial and the sentence has been suspended for temporary period by the trial Court, this application is required to be allowed.

ORDER

(i) Interim Application No. 2302 of 2023 is allowed.

(ii) The substantive sentence of imprisonment imposed vide Judgment and order dated 9th May 2023 passed by learned Special Judge, CBI for Greater Bombay in Special Case No.52 of 2016 is suspended and the applicant is directed to be released on same bail granted by the trial Court with fresh bond.

(iii) Applicant shall report CBI, ACB, Mumbai once in six months on

every first Saturday of the month between 11:00 am to 1:00 pm
till final disposal of Criminal Appeal.

(iv) Interim Application stands disposed off.

(PRAKASH D. NAIK, J.)