

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2831 OF 2023
IN
CRIMINAL APPEAL NO.874 OF 2023**

Dharmendra Pratap Singh	]	Applicant
Vs.		
CBI ACB Mumbai and another	]	Respondents

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Mr. V. N. Shingnapurkar i/b H.N. Associates, for Applicant.

Mr. Kuldeep Patil, Special Counsel, for Respondent No.1-CBI.

Mr. A.R. Kapadnis, A.P.P, for Respondent No.2-State.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 10th August, 2023.

P.C.

1. Heard learned Counsel for the applicant and learned Special Counsel for respondent No.1-C.B.I.

2. Applicant has been convicted by the Special Judge, C.B.I, Mumbai of an offence punishable under section 13 (2) r/w section 13 (1) (e) of the Prevention of Corruption Act, 1988, *inter alia*, sentenced him to undergo simple imprisonment for a period of four years with fine amount of Rs.1,00,000/-, in default, to undergo simple imprisonment for one year.

3. The applicant prays for his release by suspending execution of sentence, pending the appeal.
4. Learned Special Counsel submits that there is no apprehension of applicant's abscondence during pendency of the appeal.
5. Considering the quantum of sentence, I do not see any reason to refuse the prayer.
6. Pending the appeal, applicant be released on executing a P.R bond in the sum of Rs.1,00,000/- with one solvent surety in the like amount to the satisfaction of the Registrar (Judicial – 1) of this Court.
7. The applicant shall not leave jurisdiction of this Court without seeking prior permission.
8. At this stage, learned Counsel for the applicant prays for release of the applicant on furnishing cash security since according to him, it takes time to arrange for surety.

9. The applicant shall furnish cash security in the sum of Rs.1,00,000/-.

10. The applicant shall furnish solvent surety within a period of three months.

11. The application is disposed of.

[PRITHVIRAJ K. CHAVAN, J.]