



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

**CRIMINAL APPEAL NO. 173 OF 2024
WITH
INTERIM APPLICATION NO. 757 OF 2024**

M. P. ABRAHAM

..APPELLANT

VS.

UNION OF INDIA AND ANR.

..RESPONDENTS

Adv. Sujit B. Shelar a/w Mr. Shubham S. Shingade for the Appellant.

Adv. Shriram Shirsat, SPP a/w Adv. Nishad Mokashi a/w Adv. Tanvi Mate a/w Adv. Karishma Rajesh for Respondent No.1 - CBI

Ms. Megha S. Bajoria, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 22, 2024

P.C. :

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- 1.** Admit.
- 2.** Call for record and proceedings.
- 3.** SPP Shri Shirsat waives service on behalf of Respondent No.1 – CBI and Ms. Bajoria waives service on behalf of Respondent No.2 – State.

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4. This is an application for suspension of sentence and for bail.

5. The applicant is convicted under Section 120-B of the Indian Penal Code (IPC) and sentenced to suffer rigorous imprisonment for one year and to pay fine. The applicant is also convicted under Section 420 read with Section 120-B of the IPC and sentenced to suffer rigorous imprisonment for two years and to pay fine. The fine amount has been paid. The substantive sentences of imprisonment are ordered to be run concurrently.

6. The present application is opposed by Shri Shirsat, learned counsel appearing for respondent No.1 - CBI. It is submitted that after appreciating the evidence and materials on record the trial Court has convicted the appellant for the offence under the IPC. It is prayed that the application be rejected.

7. The applicant was on bail during trial. There is nothing on record to indicate that the applicant has misused his liberty while on bail. Considering the short sentence

imposed and as the appeal is unlikely to be heard any time soon, I am inclined to suspend the sentence and enlarge the applicant on bail.

8. The sentence is accordingly suspended.

9. The applicant shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

10. The applicant shall report to the trial Court once a year, on the first Monday of the concerned month, between 11.00 a.m. and 1.00 p.m. commencing March 2024.

11. The applicant shall surrender his passport to respondent No.1-CBI till further orders.

12. The interim application stands disposed of in the above terms.

(M. S. KARNIK, J.)