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

**INTERIM APPLICATION NO.4362 OF 2023
IN
CRIMINAL APPEAL NO.1269 OF 2023**

PANDURANG DHULU KHARAT

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Gautam J. Jain a/w Adv. M. J. Bhatt for the applicant.
Mr. B. B. Kulkarni, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : APRIL 1, 2024

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for suspension of sentence and bail. The applicant has been convicted by the trial Court for the offence punishable under Section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 ("MPID Act", for short) and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs.50,000/-, in default of payment of fine, to suffer rigorous imprisonment for five months. The

applicant was also convicted for the offence punishable under Section 406 of the Indian Penal Code (hereafter 'IPC' for short) and sentenced to suffer rigorous imprisonment for one year and to pay fine of Rs.10,000/-, in default of payment of fine, to suffer rigorous imprisonment for one month. The fine amount has already been paid. The appellant has already undergone two years and eleven months of the sentence imposed. The applicant was on bail during the trial.

3. The application is opposed by learned APP.

4. I have perused the judgment and order of the conviction passed by the trial Court. In the facts and circumstances of the present case, since the appeal which has been admitted, is not likely to be heard soon, the sentence imposed by the trial Court is suspended and the applicant be enlarged on same bail as before the trial Court with fresh bonds. The applicant shall appear at the time of final hearing.

5. The interim application is disposed of.

(M. S. KARNIK, J.)