



Diksha Rane

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

**INTERIM APPLICATION NO.4079/2023
IN
CRIMINAL APPEAL NO.1224/2023**

KALLAKURI VIJAY RAMARAO

..APPLICANT

VS.

THE STATE OF MAHARASHTRA & ANR.

..RESPONDENTS

Adv. Saurabh Butala a/w. Adv. Harshad Sathe for the
applicant.

Mr. S. H. Yadav, APP for the State.

SPP Amit Munde a/w. Adv. Parikshit Pawar for the respondent
no.2- CBI, ACB, Mumbai

CORAM : M. S. KARNIK, J.

DATE : JANUARY 10, 2024.

P.C. :

1. This is an application for suspension of sentence. The appeal is already admitted. The sentence imposed is three years rigorous imprisonment for the offence punishable under Sections 7, 13(1)(d), 13(2) of the Prevention of the Corruption Act, 1988.

2. Learned counsel for the CBI vehemently opposed the application for suspension of sentence. It is submitted that after a detailed evaluation of the evidence on record, the trial Court for cogent reasons convicted the appellant. It is

further submitted that the appeal itself be taken up for final hearing as the trial involves examination of only five witnesses.

3. Considering the pendency, it is not possible to accede to this request of learned counsel for the CBI. The present appeal is not likely to be heard any time soon. In the facts and circumstances of the present case, considering that the sentence imposed is of three years rigorous imprisonment and as the applicant was on bail during the trial, I am inclined to suspend the sentence.

4. Learned counsel for the applicant submitted that the fine amount has been paid. Accordingly, the sentence imposed by the trial Court by its judgment and order dated 8/9/2023 is suspended.

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

6. The applicant shall report to the trial Court once in six months on every first Monday of the concerned month between 11.00 a.m. and 1.00 p.m., commencing from February 2024.

7. The application is disposed of.

(M. S. KARNIK, J.)