

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

CRIMINAL INTERIM APPLICATION NO. 4845 OF 2024

IN

CRIMINAL APPEAL NO. 1251 OF 2024

Ravindra Dattaram Kumbade

.... Applicant

Versus

State of Maharashtra Thr. Central Bureau of
Investigation, ACB, Mumbai.

.... Respondent

Adv. Prasannan Namboodiri a/w Adv. Tejal Darekar, Adv. Prathibha Namboodiri, Adv. Pallavi Dabak and Adv. Rishabh Sinha, for the Applicant.

Mr. Shreeram Shirsat, SPP a/w Ms. Karishma Rajesh and Adv. Nishad Mokashi, for Respondent No.1. (CBI)

Mr. Shrikant H. Yadav, APP, for the Respondent - State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th DECEMBER, 2024.

P.C. :

1. By this application, Applicant is seeking suspension of sentence.

2. Learned counsel for the Applicant submit that in Special

Case No.19 of 2009 @ 82 of 2013 the Applicant is convicted under section 13(2) read with section 13(1)(d) of the Prevention of Corruption Act, 1988 and sentenced to suffer Rigorous Imprisonment for one year and to pay fine of Rs.1,000/- in default to suffer Simple Imprisonment for one month.

Learned counsel further submitted that Applicant is also convicted under Section 120-B read with section 420 of the Indian Penal Code, 1860 (for short “the IPC”) and sentenced to suffer Rigorous Imprisonment for one year and to pay fine of Rs.1,000/- in default to suffer Simple Imprisonment for one month. The Applicant has paid the fine amount. The learned Special Court has suspended the sentence till the appeal period. Hence, requested to allow the application.

3. Learned SPP is strongly objected to allow the application.
4. I have heard both learned counsel. The sentence imposed on the Applicant is short term sentence. During the trial, he was on bail. He has not misused the liberty. It may take time to dispose of the appeal.
5. Considering this fact, I pass following order:

ORDER

- i. Application is allowed.
- ii. The sentence imposed on the Applicant is suspended till
final disposal of the appeal.
- iii. The surety and bail bond furnished by the Applicant
before the Special Court be continued till the final
disposal of the appeal.
- iv. Applicant shall deposit his passport before the
Investigating Officer, if any,
- v. Applicant shall take permission of this Court, if he
wants to travel Abroad.

The Application stands disposed of.

(SHIVKUMAR DIGE, J.)