

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1006 OF 2025

IN

CRIMINAL APPEAL NO. 239 OF 2025

Peeyushkumar Kamalkumar Pandey

... Applicant

Versus

The Union Of India And Anr.

... Respondents

.....

Mr. Anish Desai a/w. Mr. Kunal Kamble, Genevieve Lobo, Mr. Pratamesh Walkar and Ms. Mrunmay, Advocates for the Applicant.

Mr. Prashant P. Jadhav, APP for the State.

CORAM : SHIVKUMAR DIGE, J.

DATED : 21st MARCH, 2025.

P. C. :

1. This is an application for suspension of sentence and bail.
2. Heard learned counsel for the applicant and learned APP for the State.
3. The applicant has been convicted by the learned Special Court for the offence punishable under Section 13(2) read with Section 13(1)(e) of the Prevention of Corruption Act, 1988 and sentenced to undergo simple imprisonment for 2 years and to pay a fine of Rs.50,000/- and in default to suffer further simple imprisonment for 3 months. The learned Special Judge is further pleased to forfeit the properties of the applicant which are

in the nature of disproportionate assets to the tune of Rs.88,23,328/- under Section 452 of Cr.P.C. read with Section 16 of the Prevention of Corruption Act.

4. It is contention of learned counsel for the applicant that the Trial Court has granted bail and suspended sentence of the applicant till filing appeal. During the trial the applicant was on bail, hence requested to allow the application.

5. Learned APP strongly objected to allow the application.

6. I have heard both the learned counsel. The sentence imposed on the applicant is short term sentence. The Trial Court has granted bail to the applicant and suspended his sentence till filing the appeal. During the trial the applicant was on bail. It may take time to dispose of the appeal.

7. In view of above, I pass following order.

ORDER

- i. The substantive sentence imposed on the applicant in CBI Special Case No. 101 of 2014 is suspended till disposal of the appeal.
- ii. The applicant be enlarged on bail on furnishing P.R.Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- iii. The bail bond to be furnished before the Trial Court.

8. Interim application stands disposed of.
9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)

SONALI
SATISH
KILAJE

Digitally signed
by SONALI
SATISH KILAJE
Date: 2025.03.26
09:53:32
+05'00'