

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

**INTERIM APPLICATION NO. 2541 OF 2025
IN
CRIMINAL APPEAL NO. 718 OF 2025**

Jayprakash Moreshwar Dalvi	..Applicant
Versus	
The State of Maharashtra	..Respondent

Mr. Kamlesh N. Gujar for Applicant. _____
Ms. Ranjana D. Humane, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 4 AUGUST 2025

PC :

1. The Applicant was the original Accused No.2 in ACB Special Case No.91 of 2014 before the Special Judge under P.C. Act, Greater Mumbai. The learned Judge vide his Judgment and order dated 06.05.2025 convicted the applicant and the original Accused No.1. The Applicant was convicted for commission of the offence punishable U/s.12 of the Prevention of Corruption Act, 1988. He was sentenced to suffer R.I. for three years and to pay a fine of Rs.10000/- and in default to suffer R.I. for one month.
2. The prosecution case is that the Accused No.1 was

Assistant R.T.O., at Andheri. He had demanded illegal gratification to the tune of Rs.5000/- from the complainant for clearance of school bus vehicle. On 19.04.2014, the present applicant was caught in accepting the amount of Rs.1500/- on behalf of the Accused No1.

3. The prosecution relied heavily on the evidence of the complainant and the pancha witnesses who were examined as PW-4, PW-5 and PW-6. The defence of the Applicant was that he had gone to meet the Accused No.1 for his private work. In the meantime, the trap was conducted. He had not committed any offence.

4. The learned Judge did not accept this defence. He relied on the evidence of the prosecution witnesses and in particular evidence of PW-4, PW-5 and PW-6, and convicted the Appellant.

5. Learned counsel for the Applicant submitted that the learned Trial Judge has not given any reasons as to why his defence was not acceptable. The Applicant had no connection with the demand of the bribe. He is falsely implicated. Learned counsel

also submitted that the applicant was on bail during trial and he has not misused that liberty. Even after conviction the trial Court had granted him bail U/s.430 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The incident of trap is of the year 2014. For about ten years he was on bail. There are no allegations that he has misused that liberty. The Appeal is not likely to be decided within three years, for which he was sentenced. Considering all these aspects, I am inclined to grant bail to the applicant.

6. Hence, the following order:

O R D E R

- i) During pendency and final disposal of Criminal Appeal No.718 of 2025, the Applicant is directed to be released on bail on his furnishing P. R. bond in the sum of Rs.25000/- with one or two sureties in the like amount.
- ii) The Application is disposed of.

(SARANG V. KOTWAL, J.)