



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO.700 OF 2025
IN
CRIMINAL APPEAL NO. 401 OF 2025

Maheshkumar s/o Puranlal Jain

Vs.

State of Maharashtra through Anti Corruption Bureau, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. K. Shugwani, Counsel for the appellant.

Mr. Nitin Rode, APP for the respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 13/08/2025

1. By this application, the appellant is seeking suspension of sentence and releasing him on bail.
2. The appellant was convicted for the offence punishable under Section 13(1)(e) read with Section 13(2) of the Prevention of Corruption Act and sentenced to suffer rigorous imprisonment for a period of one year and fine of Rs.50,000/-, in default to pay fine, he shall suffer rigorous imprisonment for three months.
3. Learned Counsel for the appellant submitted that the punishment imposed is of a limited period. The appellant was on bail throughout the trial. He also pointed out from the impugned judgment that he has many arguable points in the

present appeal and the appeal would take its own time for its final disposal. In the meantime, if the sentence is executed, the appeal would become infructuous.

4. Learned APP strongly opposed for the same on the ground that, considering the appeal itself is devoid of merit, the application deserves to be rejected.

5. On hearing both sides and on perusal of the impugned judgment from which the learned Counsel for the appellant has pointed out that he has many arguable points in the present appeal. Moreover, the punishment imposed is of a limited period. The amount of fine is already paid. In view of that the application for suspension of sentence deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The execution of the sentence passed in Special ACB Case No.2/2008 is hereby suspended till disposal of appeal.
- (iii) The learned Special Judge shall release the applicant **Maheshkumar s/o Puranlal Jain** on bail which is already furnished by him by obtaining the fresh bail bonds.

Application is disposed of.

CRIMINAL APPEAL NO. 401 OF 2025

- (i) Heard.
- (ii) **Admit.**
- (iii) Learned APP waives notice for the State.
- (iv) Call for record and proceedings.
- (v) Appeal be listed before this Court after preparation of paper book.

(URMILA JOSHI-PHALKE, J.)