

**HIGH COURT OF CHHATTISGARH, BILASPUR**

Order Sheet

**CRA No. 295 of 2018**

1. Shri Tarachand, S/o. Shyamlal Lalwani, Aged About 63 Years, Pro. Shivshakti Traders Kharora, District Raipur, Chhattisgarh .....Accused No. 3
2. Shri Ashok Kumar, S/o. Shyamlal Lalwani, Aged About 55 Years, Partner Shivshakti Traders Kharora, District Raipur, Chhattisgarh .....Accused No. 4.
3. Shri Govindram, S/o. Shri Vallumal Sindhi, Aged About 65 Years, Ex. Accountant, Shivshakti Traders Kharora, Presently R/o. Besides Old Employment Office Lakhe Nagar, Raipur, District Raipur, Chhattisgarh .....Accused No.5

**---- Appellants**

**Versus**

State Of Chhattisgarh, Through Arakshi Kendra, Anti Corruption Bureau, Raipur, District Raipur, Chhattisgarh.

**----Respondent**

23.02.2018	<p>Mr. Sumesh Bajaj, Advocate for the Appellants.</p> <p>Mr. Ashish Shukla, Dy. A.G. for the State.</p> <p>Heard</p> <p>Admit</p> <p>Call for the record.</p> <p>Also heard on I.A.No.1, application for suspension of sentence and grant of bail.</p> <p>The appellants stand convicted by the judgment dated 23.12.2017 passed by the learned Court below in Special Criminal Case No.03/2003 for the offence punishable under Section 120-B(1) of I.P.C. read with Sections 13(1)(d) and 13(2) of the Prevention of Corruption Act and sentenced to undergo R.I. for 2 years with fine of Rs.5,000/- with usual default stipulation.</p> <p>Learned counsel for the appellants would submit that the sentence awarded is for 2 years, the appellants were on bail during trial and the</p>

appeal will take some time for hearing on merits, therefore, the appellants may be released on bail.

Per contra, learned State counsel opposes the prayer for suspension of sentence and grant of bail.

Considering the period of sentence i.e. 2 years and the fact that the appellants were on bail during trial and the appeal will take some time for hearing, I am inclined to suspend the sentence and release the appellants on bail.

Accordingly, I.A.No.1, application for suspension of sentence and grant of bail is allowed.

Execution of further substantive jail sentence imposed on appellants shall remain suspended and they are directed to be released on bail on their executing a personal bond for a sum Rs.25,000/- with one surety each for the like sum to the satisfaction of the Trial Court for their appearance before the Registry of this Court on **24<sup>th</sup> April, 2018**. They shall thereafter appear before the Trial Court on a date to be given by the Registry of this Court and shall continue to appear there on all such subsequent dates as are given to them by the said Court, till the disposal of this appeal.

Certified copy, as per rules.

Sd/-  
**(Goutam Bhaduri)**  
Judge