

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 531 of 2018

Vishnu Kumar Dhurve (Head Constable), S/o. Shri Dhannu Singh Dhurve, Aged About 41 Years, R/o. Head Constable No. 289, Police Station Anda, District Durg, At Present Resident Of Kogima Khurd, Police Station Saja, District- Durg, Chhattisgarh.

---- Appellant

Versus

State Of Chhattisgarh, Through- Superintendent Of Police, Anti Corruption Bureau, Raipur, District- Raipur, Chhattisgarh.

----Respondent

11.04.2018	Mr. Avinash Chand Sahu, Advocate for the Appellant. Mr. Ashish Shukla, Dy. A.G. for the State. Heard Admit Call for the record. Also heard on I.A.No.1, application for suspension of sentence and grant of bail. Appellant has been convicted by the judgment dated 31.03.2018 passed by the learned Court below in Special Case No.04/2015 in the following manner with a direction to run both the sentence concurrently. <table><tr><th>Conviction</th><th></th><th>Sentence</th></tr><tr><td>U/s. 7 of the Prevention of Corruption Act.</td><td>:</td><td>R.I. for 2 years and fine of Rs.500/- in default of payment of fine, additional R.I. for 15 days</td></tr><tr><td>U/s. 13(1)(d) read with Sec.13(2) of the Prevention of Corruption Act</td><td>:</td><td>R.I. for 3 years and fine of Rs.1000/- in default of payment of fine, additional R.I. for 1 month.</td></tr></table> Learned counsel for the appellant would submit that the sentence awarded is only for 3 years, the appellant was on bail during trial and still	Conviction		Sentence	U/s. 7 of the Prevention of Corruption Act.	:	R.I. for 2 years and fine of Rs.500/- in default of payment of fine, additional R.I. for 15 days	U/s. 13(1)(d) read with Sec.13(2) of the Prevention of Corruption Act	:	R.I. for 3 years and fine of Rs.1000/- in default of payment of fine, additional R.I. for 1 month.
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he is on bail and the appeal will take some time for hearing on merits, therefore, the appellant 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. 3 years and the fact that the appellant is on bail and the appeal will take some time for hearing, I am inclined to suspend the sentence and release the appellant 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 appellant shall remain suspended and he is directed to be released on bail on his executing a personal bond for a sum Rs.25,000/- with one surety for the like sum to the satisfaction of the Trial Court for his appearance before the Registry of this Court on **13th June, 2018**. He 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 him by the said Court, till the disposal of this appeal.

Certified copy, as per rules.

Sd/-
(Goutam Bhaduri)
Judge