

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Appeal No. 796 of 2017

Arvind Kumar, S/o Shri Ramkripal Tiwari, aged about 48 years, Private Profession (Agent M/s United India Insurance Company Limited), R/o Quarter No.7-C, Road No.14, Sector 5 Bhilai, Civil & Revenue District Durg (CG).

---Appellant

Versus

Union of India, through Central Bureau of Investigation, A.C.B. Branch, Bhilai, District Durg.

--- Respondent

19/05/2017	Mr. Adil Minhaj, counsel for the appellant. Mr. Pawan Kesharwani, counsel for respondent. Heard on admission. The appeal being arguable is admitted for hearing. Issue notice. Mr. Pawan Kesharwani, counsel accepts notice on behalf of the respondent. Also heard on I.A. No.01, an application for suspension of sentence and grant of bail to the appellant during the pendency of appeal. The accused/appellant has been convicted for offence under Section 120B of IPC and sentenced to undergo rigorous imprisonment for two years, pay fine of Rs.50,000/-, Section 420 read with 120B of IPC and sentenced to undergo rigorous imprisonment for three years, pay fine of Rs.50,000/- and Section 13(1)(d) read with 13(2) of Prevention of Corruption Act read with Section 120 of IPC and sentenced to undergo	

rigorous imprisonment for three years, pay fine of Rs.1,00,000/- with default stipulation.

Taking into consideration the grounds mentioned in the application; submission made by the learned counsel for the appellant and the fact that the appellant was on bail during trial and he has not misused the liberty granted to him and that the appeal may take some time for final disposal, this Court is of the opinion that it is a fit case, in which, substantive jail sentence imposed on the appellant can be suspended and he can be enlarged on bail. Accordingly, I.A. No.1 application for suspension of sentence and grant of bail is allowed.

It is directed that substantive jail sentence imposed upon the accused/appellant shall remain suspended and he shall be released on bail on his furnishing a personal bond in the sum of Rs.1,00,000/- with one surety for the like sum to the satisfaction of the trial Court for his appearance before the Registry of this Court on 30.10.2017 and thereafter he shall continue to appear before the trial Court as and when directed in this behalf by the Court concerned, till the final disposal of the appeal.

Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge