

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION)  
NO. 2526 of 2026**

**With  
CRIMINAL MISC.APPLICATION (FOR SUSPENSION OF SENTENCE)  
NO. 1 of 2026**

**In R/CRIMINAL REVISION APPLICATION NO. 2526 of 2026**

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**BALMUKUND M. DUBEY**

**Versus**

**CENTRAL BUREAU OF INVESTIGATION & ANR.**

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**Appearance:**

MR D K TRIVEDI(5283) for the Applicant(s) No. 1

MR RC KODEKAR(1395) for the Respondent(s) No. 1

MR KRUTIK PARIKH, APP for the Respondent(s) No. 2

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**CORAM:HONOURABLE MS. JUSTICE S.V. PINTO**

**Date : 10/09/2026**

**ORAL ORDER**

**ORDER IN CRIMINAL REVISION APPLICATION :**

**Rule** returnable on **11.02.2027**. Learned Special Public Prosecutor Mr. R.C.Kodekar waives service of notice of rule for the respondent no. 1 - CBI and learned APP Mr. Krutik Parikh waives service of notice of rule for the respondent no.2.

**ORDER IN CRIMINAL MISC. APPLICATION:**

**1.** Rule. Learned Special Public Prosecutor Mr. R.C.Kodekar waives service of notice of rule for the respondent no. 1 – CBI and learned APP Mr. Krutik Parikh waives service of notice of rule for the respondent no.2.

2. By way of present application under Section 430 of the Bhartiya Nagarik Suraksha Sanhita, 2023, the applicant – original accused no.2 has prayed to suspend the execution of sentence passed in the judgment and order dated 12.08.2026 by learned Special Judge (CBI) Court No.3, City Civil and Sessions Court, Ahmedabad in CBI Criminal Appeal No.11 of 2026 confirming the judgment and order passed by the learned Additional Chief Judicial Magistrate, CBI Court No.1, Ahmedabad (Rural) in CBI Criminal Case No.10 of 2010 dated 31.12.2025, whereby, the present applicant - accused was sentenced to simple imprisonment of three years and fine of Rs.20,000/- and in default, simple imprisonment of 30 days for the offence punishable under Sections 467, 471 r/w. Section 120(B) of the IPC, simple imprisonment of one year and fine of Rs.10,000/- and in default, simple imprisonment of 30 days for the offence punishable under Sections 468, 471 r/w. Section 120(B) of the IPC and simple imprisonment of one year and fine of Rs.10,000/- and in default, simple imprisonment of 30 days for the offence punishable under Section 419 of the IPC. The learned Trial Court was pleased to further order that all the sentences were to run concurrently.

3. Learned advocate Mr.D.K.Trivedi for the applicant submits that the sentence imposed upon the applicant is for a fixed period of three years and the present appeal is not likely to be heard in near future and hearing of the same would take a long time and hence, no purpose would be served by keeping

the applicant in jail for indefinite period with the hardened criminals. The applicant has a good case on merits and hence, the order of the sentence may be suspended and the applicant may be released on regular bail on appropriate terms and condition.

4. Learned Special Public Prosecution Mr. Kodekar for the respondent – CBI and learned APP Mr. Krutik Parikh for the respondent – State have jointly objected to the present application to grant suspension of sentence and have submitted that the order of sentence is just and proper and no interference is required in the order passed by the learned Special Judge and hence, present application may be rejected.

5. Having heard learned advocates for the respective parties and perused the document produced on record, without entering into the merits of the case, this court is of the opinion that the application requires consideration and accordingly, is allowed. The execution of the sentence passed in the judgment and order dated 12.08.2026 by learned Special Judge (CBI) Court No.3, City Civil and Sessions Court, Ahmedabad in CBI Criminal Appeal No.11 of 2026 confirming the judgment and order passed by the learned Additional Chief Judicial Magistrate, CBI Court No.1, Ahmedabad (Rural) in CBI Criminal Case No.10 of 2010 dated 31.12.2025 is suspended during pendency of the captioned revision application and the applicant is ordered to be released on bail on furnishing personal bond of Rs.10,000/- (Rupees Ten Thousand Only) with

surety of the like amount to the satisfaction of the trial court and on the following conditions:

- (i) shall not take undue advantage of liberty or misuse liberty;
- (ii) shall not leave India without prior permission of this Court;
- (iii) shall furnish the present address of his residence to the Court concerned at the time of execution of the bond and shall not change the residence without the prior permission of this Court;
- (iv) shall maintain law and order;
- (v) shall not indulge in any activity leading to breach of public peace and tranquility.

**6.** Rule is made absolute. Direct service is permitted.

F.S. KAZI

**(S. V. PINTO,J)**