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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.A. 653/2017

SH UDAY SHANKAR BHAT Appellant

Through: Mr.Dayan Krishnan, Sr. Advocate
with Mr.Anindya Malhotra, Advocate
with appellant in person.

Versus

CBI Respondent

Through: Ms.Rajdipa Behura, Spl.PP for CBI
with Mr.Philomon Kani, Ms.Kriti
Handa, Mr.Vignaraj Pasayat &
Ms.Karnika, Advocates.

AND

+ CRL.A. 654/2017

M/S RAJA AEDERI CONSULTANTS PVT LTD Appellant

Through: Mr.Dayan Krishnan, Sr. Advocate
with Mr.Gaurav Pathak, Advocate

Versus

CBI Respondent

Through: Ms.Rajdipa Behura, Spl.PP for CBI
with Mr.Philomon Kani, Ms.Kriti
Handa, Mr.Vignaraj Pasayat &
Ms.Karnika, Advocates.

AND

+ CRL.A. 655/2017

RAJA AEDERI Appellant

Through: Mr.Dayan Krishnan, Sr. Advocate
with Mr.Rajeshri, Advocate with
appellant in person

Versus

CBI Respondent

Through: Ms.Rajdipa Behura, Spl.PP for CBI
with Mr.Philomon Kani, Ms.Kriti
Handa, Mr.Vignaraj Pasayat &
Ms.Karnika, Advocates.

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CORAM:
HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER
19.07.2017

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CRL.M.B. No.1190/2017 in CRL.A.No.653/2017
CRL.M.B. No.1193/2017 in CRL.A.No.655/2017

1. By way of these applications filed under Section 389(1) read with Section 482 Cr.P.C., the appellants are praying for suspension of sentence during the pendency of the present appeal.
2. The sentence of the appellants has been suspended vide order dated 20th May, 2017 passed by learned Special Judge-01, CBI till the filing of the appeal which reads as under:

“At this stage, two applications under Section 389 Cr.P.C. have been moved on behalf of the convicts Raja Aederi and Uday Shankar Bhat for suspension of sentence and grant of bail.

It is submitted that convicts may be allowed to deposit fine amount till 10th July, 2017 as presently convicts are not in a position to deposit fine amount.

The convicts are allowed to deposit fine amount till 10.07.2017.

In view of the facts and circumstances of the present case and to enable the convicts to prefer appeal, sentence is suspended for 60 days i.e. till 19.07.2017.

Convicts are admitted to bail for a period of 60 days on furnishing personal bond in the sum of ₹1,00,000 (Rupees One Lakh Only) each, with one surely of the like amount.

Bail Bonds furnished. The Bail Bonds of all the convicts are accepted till 10.07.2017 and same shall be considered thereafter upon fulfilment of the aforesaid conditions. Convicts shall not leave India during the aforesaid period of 60 days.”

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3. Mr.Dayan Krishnan, learned Senior Counsel appearing on behalf of the appellants submit that the appellant Uday Shankar Bhat is suffering from blood cancer and the other appellant Raja Aederi is 86 years old and was hospitalised day before yesterday. His present physical condition is such that he requires care under supervision of the doctor. The period for which their sentence was suspended is expiring today i.e. 19th July, 2017. They have already deposited the fine.

4. In view of the above submissions, the substantive sentence of both the appellants is suspended till the next date of hearing on furnishing a personal bond in the sum of ₹1,00,000 (Rupees One Lakh Only) with one surety each of the like amount to the satisfaction of the Registrar Appellate. The petitioner shall not leave the country without the permission of this Court.

5. Re-notify for 21st August, 2017.

6. Copy of the order be given dasti under the signatures of the Court Master.

CRL.M.B. No.1191/2017 in CRL.A.No.653/2017
CRL.M.B. No.1192/2017 in CRL.A.No.654/2017
CRL.M.B. No.10610/2017 in CRL.A.No.655/2017

Re-notify for 21st August, 2017.

PRATIBHA RANI, J.

JULY 19, 2017
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