**ITEM NO.9 COURT NO.12 SECTION II-B**

**S U P R E M E C O U R T O F I N D I A**
**RECORD OF PROCEEDINGS**

**SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 4666/2025**

**[Arising out of impugned final judgment and order dated 03-04-2023 in CRLMA(SOS) No. 01/2023 in R/Crl.A.No.608/2023 passed by the High Court of Gujarat at Ahmedabad]**

**RAGHUNATH BANSROPAN PANDEY Petitioner(s)**

**VERSUS**

**THE STATE OF GUJARAT Respondent(s)**

**IA No. 29463/2025 - CONDONATION OF DELAY IN FILING**
**IA No. 84490/2025 - CONDONATION OF DELAY IN FILING**
**IA No. 84489/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES**

**Date : 19-06-2025 This matter was called on for hearing today.**

**CORAM : HON'BLE MR. JUSTICE SANDEEP MEHTA**
**HON'BLE MR. JUSTICE PRASANNA B. VARALE**
**(PARTIAL COURT WORKING DAYS BENCH)**

**For Petitioner(s) :Mr. Niteen Kumar Sinha, AOR**
**Mr. Vikram Pratap Singh, Adv.**
**Mr. Dushyant Pratap Singh, Adv.**
**Mr. Kranti Pratap Singh, Adv.**
**Mr. Maneesh Saxena, Adv.**

**For Respondent(s) :**

**UPON hearing the counsel the Court made the following**
**O R D E R**



Delay condoned.

The instant special leave petition is directed against the order dated 3rd April, 2023, passed by the learned Single Judge of the High

Court of Gujarat at Ahmedabad whereby, while deciding the Criminal Miscellaneous Application No. 1 of 2023 in Criminal Appeal No. 608 of 2023 for suspension of sentence preferred by the petitioner, the High Court observed that the said order will not tantamount to a stay on conviction and the same shall remain as it is.

The petitioner, being a public servant was tried for the offences punishable under Section 7 read with Section 12 of the Prevention of Corruption Act, 1988 (in short 'PC Act') and so also under Section 13(1)(d) read with Section 13(2) of the PC Act. He was convicted by the trial Court and awarded sentence of 3 years on the charges under Section 13(1)(d) read with Section 13(2) of the PC Act and 2 years on charges under Section 7 read with Section 12 of the PC Act.

Being aggrieved by the observation made by the High Court in the impugned order regarding there being no stay of conviction, the petitioner has approached this Court by way of instant special leave petition.

We have heard and considered the submissions advanced by learned counsel for the petitioner and have gone through the impugned order.

This Court in ***K.C. Sareen v. CBI, Chandigarh (2001) 6 SCC 584*** and ***Central Bureau of Investigation, New Delhi v. M.N. Sharma, (2008) 8 SCC 549*** has categorically laid down that the Courts should refrain from staying conviction of public servants who have been convicted on charges of corruption. *Ex facie*, we find no justifiable reason to take a different view.

That being the situation, we are of the firm opinion that the impugned order does not suffer from any infirmity warranting

interference.

Hence, the special leave petition being devoid of merit, is hereby dismissed.

Pending application(s), if any, shall stand disposed of.

(INDU MARWAH)
AR-cum-PS

(ANU BHALLA)
Court Master (NSH)