

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3823 OF 2015**[Sou. Shobha Ambadas Ransube Vs The State of Maharashtra & anr.]****IN****CRIMINAL REVISION APPLICATION NO. 125 OF 2015**

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or
directions and
Registrar's orders

Court's or Judge's orders

Shri N.V.Gaware, advocate for applicant
Shri A.S.Shinde, A.P.P. for respondent

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CORAM : V.M.DESHPANDE, J.**DATED : 20th July, 2015****PER COURT :-**

- 1] This is an application for bail.
- 2] Heard Shri Nitin Gaware, learned counsel for the applicant and Shri A.S.Shinde, learned Additional Public Prosecutor for the respondent/State.
- 3] The applicant is convicted by the learned 5th Judicial Magistrate, First Class, Ahmednagar in Summary Criminal Case No. 826 of 2002, whereby the learned trial court has convicted the applicant for the offence punishable under Section 138 of the Negotiable Instruments Act and was directed to suffer rigorous imprisonment for one month and also to deposit Rs.32,000/- by way of compensation.
- 4] The appeal carried by the applicant was dismissed by the learned lower appellate court on 14.7.2015, and since then according to the learned counsel for the applicant Shri Nitin Gaware, the applicant is in jail. Statement accepted.
- 5] Learned counsel for the applicant has submitted that the applicant has already deposited Rs.4,500/-. Her lands

are already attached during the execution by the non-applicant no.1, the Pat Sanstha.

6] In that view of the matter, the applicant is directed to deposit Rs.5,000/- before the learned trial court within a period of one week.

ORDER

- (i) The Criminal Application is allowed.
- (ii) The order of substantive jail sentence as imposed by the trial court dated 4.8.2009 in Summary Criminal Case No. 826 of 2002 together with order passed by the appellate court shall remain suspended during the pendency of Criminal Revision Application No. 125 of 2015.
- (iii) That, the applicant shall be released on bail on she executing P.R. Bond of Rs.5,000/- with one solvent surety to the satisfaction of trial court.
- (iv) That, the applicant shall deposit Rs.5,000/- with the trial court within a period of two weeks from her release from the jail.
- (v) In case, the amount of Rs.5,000/- is not deposited as directed above, the bail granted in her favour shall be treated as cancelled.
- (vi) Application is disposed of.

(V.M.DESHPANDE, J.)

dbm/crap3823.15