

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 6462 OF 2015
IN
CRIMINAL REVISION APPLICATION NO. 233 OF 2015**

Appa Anna Dhotre

..APPLICANT

VERSUS

Adarsh Nagari Sahakari Patsanstha Maryadit
and Another

..RESPONDENTS

....

Mr. Rajendra S. Kasar, Advocate for applicant.

Mr. Suhas R. Shirsat, Advocate for Respondent No.1.

....

CORAM : M.T. JOSHI, J.

DATE : 16th DECEMBER, 2015

ORAL ORDER :

Heard.

2. Both sides submit that in fact the amount under the cheque was deposited during the pendency of the appeal. However, since both the Counsel remained absent in the Trial Court at the time of hearing of the appeal, the learned Additional Sessions Judge confirmed the conviction of the present applicant for the

offence punishable under Section 138 of the Negotiable Instruments Act.

3. Considering all these facts on record, presently the substantive sentences are hereby suspended until further orders. Applicant be released on bail upon his execution of P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousands) and also upon furnishing surety in the like amount in the Trial Court for securing his presence.

4. Hamdast is granted.

5. Application is allowed and disposed of accordingly.

(M.T. JOSHI, J.)