

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 95 OF 2015
IN
CRIMINAL REVISION APPLICATION NO. 36 OF 2015

MARIO JACINTO OLIVEIRA.	... Applicant
Versus	
SHRI. ALLOYSIUS JOHNSON PEREIRA AND ANR.,	... Respondents

Mr. Ryan Da Piedade Menezes, Advocate for the applicant.

Coram:- C. V. BHADANG, J.

Date:- 17th April, 2015

P.C.

Heard.

2. This is an application for suspension of sentence. The applicant has been convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (the Act, for short) and has been sentenced to suffer Simple Imprisonment for six months and to pay compensation of Rs.3,00,000/- and in default, to suffer Simple Imprisonment for six months. The learned Sessions Judge has confirmed the same in Criminal Appeal No.170/2013, vide judgment and order dated 05/03/2015.

3. It is submitted by the learned Counsel for the applicant that as a condition for suspension of sentence, the applicant has deposited an amount of Rs.50,000/- before the learned Sessions Judge. The learned Counsel also submitted that the applicant is willing to deposit the remaining amount of compensation, within two weeks.

4. Having regard to the circumstances and the submissions made, the following order is passed :

- (i) The substantive sentence of imprisonment is hereby suspended, pending disposal of the Revision Application, on condition of the petitioner/ applicant furnishing a P. R. Bond in the sum of Rs.15,000/-, with one solvent surety in the like amount.
- (ii) The applicant shall deposit the remaining amount of compensation i.e. Rs.2,50,000/-, within two weeks, before this Court.
- (iii) In the event of non-compliance with any of the condition herein, the order is liable to be recalled.

C. V. BHADANG, J.

SMA