

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 52 OF 2015

IN

CRIMINAL REVISION APPLICATION NO. 196 OF 2014

K. P. James .. Applicant

Versus

M/s. Sea Geo Surveys Pvt. Ltd. & Anr. .. Respondents

Ms. Racheeta R. Dhuru, Advocate for the applicant

Ms. Krupali H. Rajani, APP for the respondent No. 1.

Mr. Ajay Patil, APP for the respondent-State.

CORAM:-M.L. TAHALIYANI,J.

DATED : -04/02/2015

P.C.

Heard Ms. Racheeta Dhuru, the learned counsel for the applicant, Ms. Krupali Rajani, learned counsel for respondent No. 1 and learned APP for the respondent-State.

2 The applicant is convicted of the offence punishable u/s 138 of Negotiable Instruments Act by the Joint Judicial Magistrate, First Class, Vashi, Navi Mumbai, and has

been sentenced to suffer simple imprisonment till rising of Court and to pay fine of Rs.17,02,000/- within a period of one month from the date of the order i.e. 8th of October, 2010. The applicant filed appeal before the appellate Court which has been dismissed. In the revision application filed by the respondent No. 1 (orig. complainant), the substantive sentences to be undergone by the applicant has been enhanced to one year and the amount of fine is also enhanced to Rs.20 lakhs.

3 In the revision application filed by the applicant, a notice has been issued to the respondent No. 1 (Orig. complainant). The learned counsel Ms. Rajani waives service of notice.

4 The applicant has deposited Rs.15 lakhs in trial Court and appellate Court during the pendency of trial and appeal. Hence, I pass the following order:

The applicant be released on bail in the sum of

Rs.20,000/- with one solvent surety in the like amount or cash deposit of Rs.20,000/- in lieu of surety.

The substantive sentences imposed upon the applicant shall stand suspended during the pendency of the revision application.

The criminal application No. 52 of 2015, stands disposed of.

(JUDGE)

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