

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO. 103 OF 2015
WITH
BAIL APPLICATION NO.99 OF 2015
WITH
CRI. APPLICATION NO. 100 OF 2015

Mr. Arvind Yadav @ Arvind Kudale .. Applicant
v/s.

The State of Maharashtra & Ors. ..Respondents

Mr. K.M.Singh for the Applicant.
None for the Respondent.
Mrs. R.V.Newton, APP for the State

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : SEPTEMBER 15, 2015.

P.C.

1. The applicant herein is the accused in C.C.No. 163/SS/2004 filed under Section 138 of the Negotiable Instruments Act. By judgment dated 30.4.2011 the learned Metropolitan Magistrate, 12th Court, Bandra, Mumbai has held the applicant guilty of the said offence and has sentenced him to undergo S.I. for two months and to pay compensation of Rs.2,50,000/- within two months in default to undergo simple imprisonment for 6 months. The appeal filed against the said judgment being Criminal Appeal No.410 of 2011 has

been dismissed by the Sessions Court, Gr. Bombay by judgment dated 28.11.2014. Aggrieved by the same, the applicant-accused has preferred this revision and during pendency of the revision has prayed for suspension of execution of sentence and bail.

2. The learned Counsel for the applicant has submitted that the applicant-accused has already deposited Rs.60,000/- before the Session Court, Gr. Bombay. Upon instructions, he further states that the applicant-accused will deposit Rs.90,000/- within two months in two instalments, and that the first instalment of Rs.40,000/- will be deposited before the Sessions Court, Gr. Bombay within a period of one month and the balance amount of Rs.50,000/- will be deposited within one month thereafter. The statement is accepted.

3. In the light of the above statement, the execution of the substantive sentence is suspended on the applicant furnishing bail bond of Rs,15000/- with one surety in the like amount to the satisfaction of the Sessions Court and/or cash surety of the like amount within period of one week.

4. The applicant shall deposit the compensation as undertaken above within the stipulated period.

5. With the above observations, both the applications stand disposed of.

(ANUJA PRABHUDESSAI, J.)

CERTIFICATE

Certified to be true and correct as per the original signed judgment/order.