

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 348 OF 2015
WITH
CRIMINAL APPLICATION NO. 349 OF 2015
IN
CRIMINAL REVISION APPLICATION NO. 404 OF 2015

Mrs. Rekha Mahendra Chheda .. Applicant

v/s.

The State of Maharashtra & Anr. ..Respondents

Mr. L.M. Shukla with A.S. Varma for the applicant
Mrs. R.V. Newton, APP for respondent State

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 4th SEPTEMBER, 2015.**

P.C.

1. Heard learned Counsel for the applicant.
2. The applicant is an accused in C.C. No. 1245/SS/2010 filed under Section 138 of the N.I. Act. By order dated 17.09.2012, the learned Magistrate has held that the applicant-accused is guilty of the offence under Section 138 of the N.I. Act and sentenced him to undergo simple imprisonment for nine months and further to pay

compensation of Rs.63,000/- in default, to undergo simple imprisonment for 9 months.

3. The applicant-accused has challenged the said order in Criminal Appeal No.654 of 2012. By judgment dated 11.08.2015, the learned Sessions Judge, Greater Bombay at Bombay has dismissed the appeal and confirmed the conviction and sentence imposed upon the applicant-accused. Aggrieved by this order, the applicant-accused has preferred Revision Application before this Court and pending the revision has prayed for suspension of sentence.

4. Having heard learned Counsel for the applicant and having perused the records, in my considered view, this is a fit case for suspending the substantive sentence as well as the order of payment of compensation on following terms :-

- (i) The applicant-accused shall furnish bail bond of Rs.10,000/- with one surety in the like amount to the

satisfaction of the Sessions Court, Greater Bombay at Bombay.

(ii) The applicant shall deposit compensation of Rs.10,00,000/- in the Sessions Court, Greater Bombay at Bombay in two installments of Rs.1,00,000/- and Rs.9,00,000/- each.

(iii) The applicant shall deposit the first installment of Rs.1,00,000/- within a period of one month from the date of the order and the balance amount of Rs.9,00,000/- within a period of 5 months from today.

5. Both the applications are disposed of in the aforesaid terms.
6. Parties to act on authenticated copy of this order.

(ANUJA PRABHUDESSAI, J.)