

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.3664 OF 2014

Mr. Pratap Prabhakar Pednekar	..Petitioner
Versus	
State of Maharashtra and another.	..Respondents

....
Mr. Aamir Shaikh i/b. O.A. Siddiqui, Advocate for the Petitioner.
Mr. A.S. Shitole, APP, for the State.
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CORAM : A. R. JOSHI, J.
DATE : 16th APRIL, 2015

P.C.

1. Heard the learned Counsel for the petitioner.
2. This is a Petition preferred by the original accused who was convicted by the 5th J.M.F.C., Vashi, Navi Mumbai in SCC No.19185 of 2012. By the said judgment and order the present petitioner was convicted for the offence punishable under Section 138 of Negotiable Instruments Act. Said judgment and order is challenged in Criminal Appeal No.152 of 2014. In the said appeal, an application was preferred for suspension of the substantive sentence and for grant of bail. As such, the Appellate Court passed an order on 12th June, 2014 admitting the appeal and suspending the sentence till the decision of the appeal subject to the payment of 25% of the compensation amount i.e. Rs.75,000/- in the Court. The present petitioner, then appellant, was also directed to furnish

a bail in the sum of Rs.15,000/-. Being aggrieved by this order, present Writ Petition is preferred .

3. Perused the record and the documents annexed to the present Petition. Also perused the judgment and order of the J.M.F.C. Vashi, Navi Mumbai and also the reasoning given by the Appellate Court while admitting the appeal and directing release of the petitioner on bail on payment of 25% of the compensation amount. The learned Counsel for the petitioner stated that the petitioner has so far not deposited said 25% of the compensation amount and is presently in jail.

4. In the opinion of this Court there is nothing to interfere with the impugned order of the Appellate Court. However, directions can be given to the Appellate Court to expeditiously deal with the appeal and dispose it of in accordance with law.

5. As such, there is no merit in the present Writ Petition and the same is accordingly dismissed and disposed of.

6. The concerned District Judge / Additional Sessions Judge who is seized of Criminal Appeal No.152 of 2014 is directed to dispose of the said appeal in accordance with law as early as possible and preferably within the period of ten months from receipt of this order.

(A. R. JOSHI, J.)