

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

CRIMINAL APPLICATION NO. 358 OF 2015

Prajpal Nanaso Desai

.. Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. Prashant P. Jadhav for the Applicant.

None for the Respondent

Mr.J.H.Ramugade, APP for theState.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : SEPTEMBER 11, 2015.**

P.C.

1. The applicant is the accused in SCC No.169 of 2005 filed before the learned Judicial Magistrate, First Class, Peth, Vadgaon, under Section 138 of the Negotiable Instruments Act. By judgment dated 18.9.2008 the applicant has been held guilty of the offence punishable under Section 138 of the N.I.Act and has been sentenced to undergo simple imprisonment for one month and further to pay compensation of Rs.1,21,000/-, in default to undergo simple imprisonment for term of two months. Criminal Appeal No. 188 of

2008 filed against the said judgment and order has been dismissed by the Addl. Sessions Judge, Kolhapur vide judgment dated 1.9.2015. Aggrieved by the said order dated 1.9.2015 the applicant has preferred Revision Application No.414 of 2015 before this Court and during pendency of the said revision application he has filed this application for releasing him on bail.

2. The Learned counsel for the applicant submits that the applicant was taken in custody on 01.09.2015 and since then he is undergoing sentence at Central Jail, Kolhapur.

3. The Learned counsel for the applicant further submitted that during the pendency of the appeal, the applicant had deposited sum of Rs.46,000/- before the Sessions Court, Kolhapur. Upon instructions, he states that the applicant is ready and willing to deposit the balance amount of Rs.75,000/- within 7 days before the Sessions Court, at Kolhapur.

4. In the light of the statement made, during pendency of the revision application, the applicant is ordered to be released on bail, on the applicant furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand Only) with one surety in the like amount, to the

satisfaction of the learned Sessions Judge, Kolhapur.

ii) The applicant to deposit the compensation of Rs.75,000/- before the Sessions Court, Kolhapur within the period of seven days.

(ANUJA PRABHUDESSAI, J.)

CERTIFICATE

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