

Cri.Appln.2867/2016

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.2867 OF 2016
IN
CRIMINAL REVISION APPLICATION ST.NO.136 OF 2016

Patel Gulam Mohmmad Rajmohammad ..Applicant

Versus

Raosaheb Patwardhan Patsanstha
Maryadit, Ahmednagar, through
its Authorized Person and anr. .. Respondents

Mr P.K. Palve, Advocate for applicant
Mr S.K. Kadam, A.P.P. for respondent No.2

CORAM : SANGITRAO S. PATIL, J.

DATE : 1st June 2016
(Vacation Court)

PER COURT

1. Learned Counsel for the applicant seeks leave to correct the name of the applicant. Leave granted. Correction be made forthwith.

2. Heard the learned Counsel for the applicant/convict and the learned A.P.P. for the State.

3. The applicant has been convicted for the offence punishable under Section 138 of the Negotiable Instruments Act and sentenced to suffer simple imprisonment for three months and to pay compensation of Rs.30,000/-; in default

to suffer simple imprisonment for six months vide judgment and order dated 18th January 2008 passed by Judicial Magistrate, First Class, Court No.3, Ahmednagar, which has been confirmed by the learned Additional Sessions Judge, Ahmednagar vide judgment and order dated 3rd February 2016 passed in Criminal Appeal No.22 of 2008. The applicant has deposited the amount of compensation of Rs.30,000/- on 23rd May 2016.

4. The applicant was on bail during pendency of appeal. He has filed the application for condonation of delay in filing the revision with a strong hope to get success therein. Considering the nature of the offence as well as duration of sentence, I think it fit to suspend execution of the sentence of imprisonment passed against the applicant, during pendency of the proposed revision with the following order.

ORDER

1. The sentence of imprisonment passed against the applicant be stayed and he be released on bail in the sum of Rs.10,000/- (Rs. Ten thousand) with a surety in the like amount.

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2. The bail bonds be furnished before the trial Court.
3. The application stands disposed of.
4. The applicant shall act on the authenticated copy of this Court.

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(SANGITRAO S. PATIL, J.)

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