

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4346 OF 2016
IN
CRIMINAL REVISION APPLICATION NO. 181 OF 2016

Sharad Vijaykumar Jadhav (Kinikar) .. Applicant

Vs.

Kondiram S/o Govindrao Pachange and anr. .. Respondents

Mr. N.V. Gaware, Advocate for the applicant
Mr. A.S. Shinde, APP for the respondent/State

CORAM : N.W. SAMBRE, J.

DATE : 04/08/2016

ORAL ORDER :

Heard.

2. The applicant is convicted by the learned Judicial Magistrate First Class, 10th Court, Latur in S.T.C.C. No.951 of 2011 vide judgment and order dated November 7, 2013 for the offence punishable under section 138 of the Negotiable Instruments Act.

3. The applicant-accused was directed to pay compensation of Rs.1,60,000/- within two months, failing which, simple imprisonment for four months was ordered.

4. In appeal being Criminal Appeal No. 125 of 2013, the order was maintained by the learned Additional Sessions Judge, Latur vide judgment and order dated July 28, 2016.

5. It is informed that though there was direction to deposit the amount of compensation within two months from November 7, 2013, till this date, the applicant has not deposited the said amount.

6. In this background, while trying to make out case for suspension of sentence and grant of bail, Shri Gaware would urge that the applicant shall deposit an amount of Rs.1,00,000/- (Rs. One Lakh) within a period of two weeks from today. He submits that the said statement be accepted as an undertaking, as the applicant/accused has instructed him to make such statement.

7. The statement, as such, is accepted. The applicant/accused, who was on bail during the trial and appeal, is ordered to be released on bail on same terms and conditions, on which the trial court released

the applicant on bail.

8. If the amount, as undertaken by the applicant, is not deposited within a period of two weeks from today, bail of the applicant, as ordered by this Court alongwith suspension of sentence, shall be recalled. It is made clear that no further extension of time will be granted to the applicant to deposit the amount.

8. Criminal Application stands disposed of accordingly.

[N.W. SAMBRE]
JUDGE

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