

FARAD CONTINUATION SHEET NO.  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
  
**CRIMINAL APPLICATION NO. 126 OF 2016**  
**IN**  
**REVISION APPLICATION NO. 137 OF 2016**

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders or directions  
and Registrar's orders.

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Court's or Judge's orders

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Mr. Anand Patil for applicant  
Mr. A.S. Shitole, APP for State.

CORAM : A.S. GADKARI, J.  
DATE : 15<sup>th</sup> March 2016.

**P.C.:**

- 1] This is an application for suspension of substantive sentence imposed upon the applicant.
- 2] By its judgment and order dated 21.11.2014 passed in SCC No.2761 of 2013 by the 12<sup>th</sup> Judicial Magistrate First Class, Kolhapur, convicted the applicant under Section 138 of the Negotiable Instruments Act and sentenced him to suffer simple imprisonment for 15 days. The Trial Court has directed the applicant to pay compensation of Rs.4,50,000/- to the complainant and in default of payment of compensation to further undergo simple imprisonment for 3 days. The appeal preferred by the applicant bearing No.223 of 2014 has been dismissed by the Appellate Court by its Judgment and Order dated 13.1.2016.

3] The learned Counsel for the applicant submitted that during the pendency of the appeal, his client has deposited in all Rs.80,000/- in the Registry of the Appellate Court.

4] As the substantive sentence imposed upon the applicant is simple imprisonment for 15 days, the said sentence is hereby suspended subject to condition that the applicant shall deposit an amount of Rs.3,70,000/- in the Registry of the Appellate Court Court within a period of three weeks from today. If the applicant fails to deposit the said amount within the aforestated stipulated period, the suspension of the substantive sentence shall stand vacated without further reference to this Court.

5] The Criminal Application is allowed in the aforesaid terms.

**(A.S. GADKARI, J.)**