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

**CRIMINAL APPLICATION NO.40 OF 2015
IN
CRIMINAL REVISION APPLICATION NO.42 OF 2015**

Anita Jagdish Gupta	...Applicant
Versus	
The State of Maharashtra and Anr.	...Respondents

Mr.Amey Deshpande, for the Applicant

Ms.R.V.Newton, A.P.P for the Respondent-State

***CORAM : REVATI MOHITE DERE, J.
DATE : 27th JULY, 2016***

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P

2. The applicant has been convicted by the learned Judicial Magistrate, First Class, Yeola, vide Judgment and Order on 30th January, 2006, in Summary Criminal Case No.58 of 1999, for the alleged offence punishable under Section 138 of the Negotiable Instruments Act and has been sentenced to suffer SI till rising of the Court. The learned Magistrate was also pleased to direct the applicant to pay compensation of Rs.60,000/-

to the complainant, under Section 357(3) of the Code of Criminal Procedure. The said order of conviction and sentence has been confirmed by the learned Additional Sessions Judge, Niphad, in Criminal Appeal No.14 of 2006, vide Judgment and Order dated 11th November, 2014.

3. Learned Counsel for the applicant relied of page 41, paras 21 and 22 of the Judgment and Order dated 11th November, 2014 passed by the learned Additional Sessions Judge, Niphad, in Criminal Appeal No.14 of 2006 to show that the applicant had paid a sum of Rs.2,42,500/- to the Respondent No.2 – Bank towards the loan taken by the applicant. The Revision has been admitted by a separate order passed today in the Revision Application and the same is not likely to come up for the hearing in the immediate near future.

4. Accordingly, the application is allowed and the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

6. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.