

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 92 OF 2016  
IN  
CRIMINAL REVISION APPLICATION NO. 91 OF 2016

WITH  
CRIMINAL APPLICATION NO. 93 OF 2016  
IN  
CRIMINAL REVISION APPLICATION NO. 92 OF 2016

WITH  
CRIMINAL APPLICATION NO. 94 OF 2016  
IN  
CRIMINAL REVISION APPLICATION NO. 93 OF 2016

WITH  
CRIMINAL APPLICATION NO. 95 OF 2016  
IN  
CRIMINAL REVISION APPLICATION NO. 94 OF 2016

WITH  
CRIMINAL APPLICATION NO. 96 OF 2016  
IN  
CRIMINAL REVISION APPLICATION NO. 95 OF 2016

Ujwal Samajik & Shaikshanik Pratishthan through  
its Secretary Bharati S. Kale. ... Applicant.

Versus  
M/s. V.K. Sanghvi & anr. ... Respondents.

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Mr. Ravi G. Shinde, advocate for Applicant.

Mrs. A.A. Mane, APP for State.

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**CORAM : SMT. SADHANA S. JADHAV,J**  
**DATE : FEBRUARY 15, 2016**

**P.C.:**

1 Not on board. Upon production taken on board.

2 Heard the learned Counsel for the applicant and the learned APP for State. Learned Counsel for the applicant submits that he has only received the operative part of the order of the Appellate Court. Leave to place on record the copy of the Judgment as and when received. Leave to add/amend.

3 The applicant herein is convicted under Section 138 of the Negotiable Instruments Act by Judicial Magistrate First Class, Pune in Summary Case Nos. 0438128/2010, 0429843/2010, 0438300/2010, 0438299/2010 and 0438129/2010 vide Judgment and Order dated 10<sup>th</sup> April, 2013. Being aggrieved by the said Judgment and Order,

the applicant herein had filed criminal appeals before the Sessions Court at Pune bearing Criminal Appeal Nos. 265/2013, 266/2013, 267/2013, 268/2013, 269/2013. The learned Appellate Court vide Judgment and Order dated 5<sup>th</sup> February, 2016 has been pleased to dismissed the appeals. The applicant is taken into custody on 5/2/2016 and hence, the applicant prays for grant of bail during the pendency of the revision applications.

4 The learned Counsel for the applicant submits that the applicant was on bail during the pendency of the trial as well as during the pendency of the appeals and has not committed breach of any condition imposed upon him and hence, it is prayed that the same relief be extended during the pendency of the revision applications. It is also submitted that at the time of admission of the appeals, the applicant has deposited an amount of Rs. 10,000/- in each case. Upon instructions, the learned Counsel submits that the applicant would deposit an additional amount of Rs. 10,000/- in each case within 8 weeks from the date of release.

5 Taking into consideration the facts of the cases and the submissions advanced across the bar, this Court is of the opinion that the applicant deserves to be enlarged on bail during the pendency of the revision application. Hence, following order is passed:

**ORDER**

- (i) The applications are allowed.
- (ii) The substantive sentence imposed upon the applicant is hereby suspended. He be enlarged on bail. Same bail fresh bond.
- (iii) The applicant shall deposit an additional amount of Rs. 10,000/- in each revision application i.e. total of Rs. 50,000/- before the Appellate Court within 8 weeks from the date of release on bail, failing which the appellate Court shall issue non-bailable warrant against the applicant to serve the rest of the sentence.

(iv) The applicant shall report to the Judicial Magistrate First Class, Pune once in 6 months on the date specified by the concerned court. On failure of the applicant to report on two consecutive dates to the concerned court, the prosecution is at liberty to move for cancellation of bail.

(v) The applicant shall furnish his details like residential address, contact numbers like, landline numbers and cell phone numbers etc. to the concerned Court.

6 The Applications are disposed of accordingly.

The parties to act on the authenticated copy of this order.

**(SMT. SADHANA S. JADHAV,J)**