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FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 140 of 2016
IN
CRIMINAL REVISION APPLICATION No. 148 of 2016.

Office Notes, Office Memorandam of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr K.R.Tiwari for the applicant.
Smt. R.V. Newton, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.
DATE : 5th May, 2016

P.C.

1) This is an application for suspension of sentence and releasing the applicant on bail.

2) The applicant has been convicted under section 138 of the Negotiable Instruments Act and sentenced to suffer simple imprisonment for one month and to pay compensation of Rs.45,000/- within three months from the date of passing of the said order to the complainant, and in default of payment of compensation to further undergo simple imprisonment for one month by the Judgment and Order dated 24.1.2012 passed by the Additional Metropolitan Magistrate, 59th Court, Kurla, Mumbai in CC No.12985/SS/2005.

3) The Criminal Appeal No. 141/2012 preferred by the applicant has been dismissed by the Additional Sessions Judge, Greater Mumbai by its Judgment and Order dated 30.11.2015.

4) The learned counsel for the applicant submitted that out of the compensation amount of Rs.45,000/- his client has already deposited the sum of Rs. 9,000/-in the Registry of the Trial Court during pendency of the appeal. The substantive sentence imposed upon the applicant is one month of simple imprisonment. The substantive sentence is hereby suspended, pending the hearing and final disposal of the revision application subject to the condition that the applicant shall deposit an additional amount of Rs.25,000/- in the Registry of the Appellate Court within a period of three weeks from today. If the applicant fails to deposit the said amount within the stipulated period, the suspension of sentence shall stand vacated, without further reference to this Court.

5) The applicant be released on bail on his furnishing a P.R. bond of Rs.10,000/- with one or two local sureties in the like amount.

6) The application is allowed in the aforesaid terms.

7) All the concerned to act upon an authenticated copy of this order.

(A.S.GADKARI, J.)