

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 144 OF 2016
IN
REVISION APPLICATION NO.155 OF 2016

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

Court's or Judge's orders

Mr. V.D. Deokar a/w U.V. Karpe for applicant.
Ms. R.V. Newton, APP for State.
Mr. Mangesh Chavan for Res.No.1.

CORAM : A.S. GADKARI, J.
DATE : 25th April 2016.

P.C.:

1] This is an application for suspension of sentence and releasing the applicant No.2 on bail.

By the Judgment and Order dated 23.9.2013 in CC No.5705504/SS/2012 passed by the Metropolitan Magistrate, 56th Court, Mazgaon, Mumbai, the applicants are convicted under Section 138 of the Negotiable Instruments Act and sentenced to suffer simple imprisonment for six months and to pay fine of Rs.10,000/-, in default of payment of fine to further undergo simple imprisonment of one month. By the same Judgment and order the applicant No.2 has been directed to pay Rs.3,25,335/- as and by way of compensation to the complainant. The Criminal Appeal bearing No.632 of 2013 preferred by the applicants has been dismissed by the learned Additional Sessions Judge, Greater Mumbai by its Judgment and

Order dated 23.12.2015.

2] The learned Counsel for the applicants submitted that during the pendency of the trial, his client has deposited approximately Rs.67,000/- in the Trial Court. He submitted that his client has already undergone 15 days of the sentence.

3] The substantive sentence imposed upon the applicants is of six months of simple imprisonment. The substantive sentence imposed upon the applicants is hereby suspended subject to the condition that the applicants shall deposit additional amount of Rs.2 lacs in the Trial 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 the sentence shall stand vacated without further reference to the Court.

4] The applicants be released on bail on their furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.

5] Criminal Application is allowed in the aforesaid terms.

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

(A.S. GADKARI, J.)