

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.180 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.213 OF 2016

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Rishi Bhuta for the Applicant.

Mrs. Anamika Malhotra,APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 11th April,2016

P.C.

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

The applicant is convicted under Section 138 of the Negotiable Instruments Act and has been sentenced to suffer one year simple imprisonment by Judgment and order dated 9.5.2013 passed in Summary Criminal Case No.670/2009 by the 2nd J.M.F.C., Ratnagiri. By the same Judgment and order the applicant has been directed to pay a sum of Rs.1,28,018/- towards the compensation to the complainant within a period of two months from the date of passing of the said order. The Criminal Appeal No.43/2013 preferred by the applicant has been partly allowed by the Additional Sessions Judge, Ratnagiri by its Judgment and order dated 22.3.2016 and the substantive sentence imposed upon the

applicant has been reduced to three months of simple imprisonment. The quantum of compensation has been maintained by the Appellate Court. The Appellate Court also directed the applicant to surrender his bail bonds and as of today the applicant is in Judicial custody.

2) The learned counsel for the applicant submitted that during the pendency of the appeal the applicant has deposited an amount of Rs.25,000/- in the registry of the Appellate Court.

3) The substantive sentence imposed upon the applicant is three months of simple imprisonment. The substantive sentence is hereby suspended subject to condition that the applicant shall deposit an additional amount of Rs.50,000/- in the registry of the Appellate Court within a period of four weeks from today. If the applicant fails to deposit the additional amount of Rs.50,000/- as stated earlier the substantive sentence shall stand vacated without further reference to the court.

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

5) Application is disposed off in the aforesaid terms.

(A.S. GADKARI, J.)