

*Ladda*FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTIONCRIMINAL APPLICATION No. 183 of 2016.
IN
CRIMINAL REVISION APPLICATION NO.216 of 2016.

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

Mr Omprakash Dubey for the applicant
Smt. R.V. Newton, APP for the State.CORAM : A.S.GADKARI, J.
DATE : 5th May, 2016

P.C.

- 1) This is an application for suspension of sentence and to release the applicant on bail.
- 2) The applicant is convicted under Section 138 of the Negotiable Instruments Act and sentenced to suffer simple imprisonment for three months and to pay fine of Rs. 5000/- by the learned Metropolitan Magistrate, 50th Court, Vikhroli, Mumbai in C.C. No. 2264/SS/2013 dated 19/9/2014. By the same Judgment and Order, the Trial Court has also directed the applicant to pay an amount of Rs.42,00,000/- towards compensation to the complainant within a period of one month from the date of passing of the said order. The Criminal Appeal No. 973 of 2014 preferred by the applicant has been dismissed by the learned Additional

Sessions Judge, Greater Mumbai by its Judgment and Order dated 9/3/2016.

3) The learned counsel for the applicant submitted that during pendency of the appeal, his client has already deposited an amount of Rs. 8,00,000/- before the Trial Court. The substantive sentence imposed upon the applicant is simple imprisonment for three months.

4) The substantive sentence imposed upon the applicant is hereby suspended subject to the condition that the applicant shall deposit an additional sum of Rs.25,00,000/- by way of a Demand Draft in the Registry of this Court within a period of four weeks from today. If the applicant fails to comply with the aforesaid condition in the stipulated period, the order of suspension of sentence shall stand vacated without reference to this Court.

5) The applicant be released on bail on his furnishing a P.R. Bond of Rs. 25,000/- with one or two local sureties in the like amount.

6) The application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)