

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

CRIMINAL APPLICATION NO.262 OF 2015
IN
REVISION APPLICATION NO. 109 OF 2015

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

Court's or Judge's orders

Mr. Rupesh Lanjekar a/w A.J. Dubey i/b Akhilesh K. Dubey for Applicant.
Ms. Sana Shaikh i/b Laxman Kanak for Respondent No.1.

CORAM : A.S. GADKARI, J.
DATE : 23rd March 2016.

P.C.:

1] This is an application for suspension of sentence. By the judgment and order dated 23.5.2011 passed by the Metropolitan Magistrate, 12th Court, Bandra, Mumbai in CC No.47/SS/2011, the applicant is convicted under Section 138 of the Negotiable Instruments Act and has been sentenced to suffer simple imprisonment for three months. By the said order, the applicant is also directed to pay the compensation of Rs.3,50,000/- to the complainant within a period of two months from the date of passing the said judgment and order and in default to further undergo simple imprisonment of nine months. The Criminal Appeal No.392 of 2011 preferred by the appellant has been dismissed by the Additional Sessions Judge, City Civil Court, Greater Mumbai by its Judgment and Order dated 4.2.2015.

- 2] The learned Counsel for the applicant submitted that during the pendency of appeal the applicant has deposited Rs.70,000/- in the Registry of the Appellate Court. The substantive sentence imposed upon the applicant is of three months. The substantive sentence imposed upon the applicant is hereby suspended subject to the condition that, the applicant shall deposit Rs.2 lacs in the Registry of the Appellate Court within a period of six weeks from today. If the applicant fails to deposit the said amount within the stipulated period of six weeks, the suspension of sentence shall stand vacated without further reference to this Court.
- 3] The applicant shall be released on bail on his furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.
- 4] The application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)