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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.407 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.397 OF 2016**

Mamta w/o Ashok Bhatia

...Applicant

Versus

The State of Maharashtra and Anr.

...Respondents

Mr.Anil Lalla a/w Ms.Breeta Bajwa i/b Lalla & Lalla Advocates, for the Applicant

Ms.R.V.Newton, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 13th JULY, 2016

P.C. :

Not on board. Taken on board and heard along with Revision Application which is listed on Supplementary Board at Sr.No.908.

1. Heard learned Counsel for the applicant and the learned A.P.P.

2. The applicant has been convicted by the learned Metropolitan Magistrate, 20th Court at Mazgaon, Mumbai vide Judgment and Order dated 15th March, 2013, for the offence punishable under Section 138 of the Negotiable Instruments Act. The applicant has been sentenced to undergo Simple Imprisonment for 6 months and has been directed to pay

compensation for Rs.9 lakhs and interest thereupon to the complainant. In appeal, the Appellate Court vide Judgment and Order dated 30th June, 2016, was pleased to confirm the conviction and sentence awarded by the Trial Court

3. Learned Counsel for the applicant states that the applicant has deposited a sum of Rs.90,000/- in the Appellate Court. He submitted that the applicant has a good case on merits and that the applicant, without prejudice to her rights and contentions, is ready to deposit a sum of Rs.3,60,000/- in the Registry of this Court, within 3 weeks from today.

4. In view of the aforesaid statement made by the learned counsel for the applicant, the applicant's sentence is suspended and the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The Applicant be released on cash bail in the sum of Rs.10,000/- for a period of four weeks;
- (ii) The Applicant shall thereafter furnish P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount, within a period of four weeks of her release on cash bail.

5. Accordingly, the applicant shall deposit a sum of Rs.3,60,000/- in the Registry of this Court, within 3 weeks from today.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

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

REVATI MOHITE DERE, J.