

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE SIDE**

**CRIMINAL REVISION APPLICATION NO.477 OF 2016  
WITH  
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Mr.Pradeep Sonaram Panchal                      ...      **Applicant**

V/s.

The State of Maharashtra & Anr.                      ...      **Respondents**

.....

Mr.Arjun S.Kode, Advocate for the Applicant.

Mrs.M.R.Tidke, APP for the Respondent/State.

....

**CORAM :    P. N. DESHMUKH J.**

**DATED :    22<sup>nd</sup> AUGUST 2016.**

**P.C.**

1                      Issue notice to respondent No.2 returnable on **19<sup>th</sup> September 2016**. Learned Additional Public Prosecutor accepts notice on behalf of respondent No.1/State of Maharashtra.

2                      Learned counsel for the applicant submits that in the mean time conviction and sentence imposed upon applicant be suspended as he is in jail since 21/07/2016 and has already deposited Rs.50,000/- with Sessions Court, and is willing to deposit further amount of Rs.1,00,000/- within one week from today.

3           It appears that applicant came to be convicted by the learned trial Court for the offence punishable under Section 138 of the Negotiable Instruments Act and is sentenced to suffer rigorous imprisonment for two years and to pay fine of Rs.5,50,000/-, in default to suffer simple imprisonment for six months. Said Judgment and order was assailed before the Sessions Judge, which Court has dismissed the appeal and confirmed the Judgment of the trial Court. Applicant is stated to be in private service doing whatsoever work that is available for him. In view of statement made by applicant/accused to make payment of Rs.1,00,000/- within one week as stated above, and since short sentence is imposed upon the applicant, conviction and substantive sentence imposed upon applicant is liable to be suspended and applicant is directed to be released on bail as per order below :

- (i) Applicant shall be released on bail on his executing personal bond in the sum of Rs.25,000/- with one or two sureties to make the like amount, on his depositing amount of Rs.1,00,000/- before the learned Sessions Court.
- (ii) Applicant shall then deposit Rs.1,00,000/- before the Sessions Court within two weeks from the date of his release on bail.
- (iii) Applicant shall provide his permanent address with Roha Police Station, District Raigad along with proof of residence immediately on being released on bail, failing which this order shall be liable for cancellation.

(iv) Parties to act upon copy of this order duly authenticated by the Sheristedar of this Court.

4 Criminal Revision Appliation No.477 of 2016 is stand over to **19<sup>th</sup> September 2016.**

**(P. N. DESHMUKH J.)**