

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.483 OF 2016

In

CRIMINAL REVISION APPLICATION NO.481 of 2016

WITH

CRIMINAL APPLICATION NO.484 OF 2016

In

CRIMINAL REVISION APPLICATION NO.481 of 2016

Biva Binimoy Chakma @

Beeva Binimoy Chakma

.. Applicant

Versus

N.R.Dhoot, HUF and Anr

.. Respondents

Mr.H.H.Nagi i/b H.H.Nagi & Associates for the applicant.

Mr.A.R.Kapadnis, APP for the Respondent State.

CORAM : PN. DESHMUKH, J

DATED : 26th AUGUST 2016

P.C. :

1 Learned counsel for the applicant seeks leave to amend prayer clause for seeking suspension of compensation amount. Leave as prayed, allowed. Amendment be carried out forthwith.

2 Heard.

3 Learned counsel for the applicant has submitted that applicant came to be convicted by the learned trial Court for offence punishable under section 138 of the Negotiable Instruments Act, and is sentenced to suffer SI till the rising of Court, and to pay compensation to the extent of Rs.6,57,000/- to complainant within one month.

4 Learned counsel for the applicant submits that applicant has already undergone sentence imposed upon her, and submits that out of compensation amount, as aforesaid, Rs.1,00,000/- is already deposited before the trial Court, and prays for suspension of rest of the amount, pending revision.

5 Perused the impugned judgment from which it is found that applicant is facing economical crisis, as she is not on job where she was earlier working as an Air Hostess. It is also noted by the learned trial Court that accused has already paid cheque amount to the complainant.

6 Having considering the facts, as aforesaid, and as applicant has undergone sentence imposed upon her, and for the reasons, as aforesaid, following order is passed.

ORDER

(i) Impugned order directing to pay compensation to the extent of Rs.6,57,000/- stands suspended subject to applicant's making payment of Rs.2,00,000/-, in addition to Rs.1,00,000/- already deposited by her.

(ii) Amount of Rs.2,00,000/- (Rupees Two lakhs) be deposited before the trial Court on or before 26th September 2016.

Both the applications stands disposed off.

(PN. DESHMUKH, J)