

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.507 OF 2016

IN

CRIMINAL REVISION APPLICATION (ST.) NO.505 OF 2016

**JITENRA TRADERS, through its Proprietor,)
PREMCHAND BALCHAND LALWANI)...APPLICANT**

V/s.

THE STATE OF MAHARASHTRA & ANR.)...RESPONDENTS

Mr.Rahul S. Kate, Advocate for the Applicant.

Mr.PH.Gaikwad, APP for the Respondent - State.

CORAM : P N. DESHMUKH, J.

DATE : 31st AUGUST 2016.

P.C. :

1 This application is for suspension of sentence and for grant of bail. Heard learned counsel for applicant who has contended that pending appeal before learned Sessions Judge, applicant has deposited amount of Rs.50,000/- out of the total amount of Rs.2,80,000/- towards compensation, ordered to be paid by the trial court and undertook to pay further amount of Rs.1 Lakh within one week, if application is allowed.

2 It appears that applicant came to be convicted for the offence punishable under Section 138 of Negotiable Instruments Act

and is sentenced to suffer simple imprisonment for 2 months and is directed to pay compensation of Rs.2,80,000/-, in default, to suffer simple imprisonment for 2 months.

The appeal preferred against the said judgment and order has been dismissed, thus confirming the order of the trial court.

3 Considering the fact of applicant's undertaking to deposit Rs.1 Lakh within one week and as amount of Rs.50,000/- is already deposited and also considering that applicant was on bail during trial, application is allowed as per order below :

- i) Applicant shall be released on bail on his executing P.R.Bond in the sum of Rs.20,000/- with one surety in like amount.
- ii) On being released on bail, applicant shall deposit Rs.1 Lakh before the trial court within 8 days and shall provide money receipt of same.
- iii) While on bail, applicant shall mark his attendance with Bibawewadi Police Station on first day of each month, pending revision, and shall produce proof of his residence and in the even of change of residence, shall supply his address to the concerned Police Station.

(P. N. DESHMUKH, J.)