

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.515 OF 2016

WITH

CRIMINAL APPLICATION NO.516 OF 2016

IN

CRIMINAL REVISION APPLICATION NO.497 OF 2016

AMBADAS SIDRAM BIDRE

)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA & ANR.

)...RESPONDENTS

Ms.Yogini Ugale, Advocate for the Applicant.

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

CORAM : P N. DESHMUKH, J.

DATE : 7th SEPTEMBER 2016.

PC. :

1 These applications are filed by applicant for suspension of substantive sentence and for grant of bail, who has been convicted by the learned Judicial Magistrate First Class, Vashi, for the offence punishable under Section 138 of Negotiable Instruments Act and is sentenced to suffer rigorous imprisonment for 2 months. Applicant is directed to pay compensation of Rs.2,75,000/- within one month from the date of judgment, in default, to suffer simple imprisonment for 2

months. The appeal preferred is dismissed by the learned Sessions court, and as such, applicant has surrendered and is in custody.

2 Learned counsel for applicant has contended that out of the total amount of compensation of Rs.2,75,000/-, applicant has already paid Rs.1,25,000/- before the trial court, pending appeal before the Sessions court, and has produced money receipts. Same are taken on record and has further stated that applicant is willing to deposit further amount of Rs.1 Lakh.

3 In that view of the matter, substantive sentence imposed upon applicant is liable to be suspended, granting bail to applicant, as per order below :

- i) Applications are allowed.
- ii) Applicant shall be released on bail on his executing PR.Bond in the sum of Rs.15,000/- with one surety in like amount.
- iii) Applicant shall be released on provisional cash bail of Rs.15,000/- and shall furnish surety within two weeks from the date of his release.

- iv) Applicant shall deposit amount of Rs.1 Lakh till **5th October 2016** before the trial court.
- v) Both the applications are disposed of as allowed.
- vi) Parties to act on a copy of this order duly authenticated by the Sheristedar of this court.

(P. N. DESHMUKH, J.)