

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.527 OF 2016

IN

CRIMINAL REVISION APPLICATION NO.512 OF 2016

SANJAY ANANDRAO POUNDKAR

)...APPLICANT

V/s.

**NUTAN JANKALYAN NAGARI SAHAKARI
PATSANSTHA LTD. KOLHAPUR. & ANR.**

**)
)...RESPONDENTS**

Mr.Anand S. Patil, Advocate for the Applicant.

Mr.S.V.Gavand, APP for the Respondent - State.

CORAM : P N. DESHMUKH, J.

DATE : 14th SEPTEMBER 2016.

P.C. :

1 Not on board. On being mentioned, taken on board.

2 Applicant has filed this application for suspension of sentence and for grant of bail. Heard learned counsel for both the sides. According to applicant, he is willing to make payment of balance amount of Rs.8,000/- against the total amount of compensation of Rs.25,000/-, as amount of Rs.15,000/- is already deposited in the appellate court at Kolhapur.

3 Perused the documents filed in support of application. It is found that applicant is convicted for the offence punishable under Section 138 of Negotiable Instruments Act and is sentenced to suffer rigorous imprisonment for 1 month and to pay amount of Rs.25,000/- as compensation, in default, to suffer rigorous imprisonment for one month.

4 Appeal pending against the conviction came to be dismissed by learned Additional Sessions Judge on 25th August 2016, and thereafter, applicant is taken into custody on execution of conviction warrant.

5 In view of fact of applicant already depositing Rs.15,000/- before the Sessions court as aforesaid, and in the event, his application is allowed, is willing to deposit balance amount of Rs.8,000/- within three weeks thereafter, application is liable to be allowed, as applicant was on bail pending trial and appeal. Hence following order :

- i) Applicant shall be released on bail on his executing PR.Bond in the sum of Rs.15,000/-, with one surety in like amount.

- ii) Applicant shall deposit Rs.8,000/- within three weeks from the date of his being enlarged on bail.
- iii) While on bail, applicant shall mark his presence with Laxmipuri Police Station, Kolhapur, once in three months, on the first day of such month.
- iv) Applicant shall produce his proof of residence to the Investigating Officer and intimate change of address in future, if any, to the concerned police station.
- v) The application stands 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.)