

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.531 OF 2016

IN

CRIMINAL REVISION APPLICATION NO.517 OF 2016

ASHOK KARBHARI BORADE

)...APPLICANT

V/s.

ANIL JAMNADAS AHUJA AND ANR.

)...RESPONDENTS

Mr.R.D.Deshmukh, Advocate for the Applicant.

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

CORAM : P N. DESHMUKH, J.

DATE : 19th SEPTEMBER 2016.

PC. :

1 This is an application for suspension of sentence and for grant of bail filed by applicant who is convicted under Section 138 of Negotiable Instruments Act and is sentenced to suffer simple imprisonment for 4 months and to pay a fine of Rs.3,70,000/-, in default, to suffer simple imprisonment for 3 months. Appeal preferred against said judgment and order came to be partly allowed by the learned Sessions Judge, Nashik, whereby, the sentence imposed came to be reduced to 1 month, maintaining amount of fine of Rs.3,70,000/-.

2 Learned counsel for applicant has submitted that applicant was on bail pending trial and also pending appeal and has deposited Rs.92,000/- before the Sessions court. Learned counsel for applicant contends that applicant is in a position to make further payment of Rs.1 Lakh, if the application is allowed.

3 Having considering facts as aforesaid, and since applicant was on bail pending 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.15,000/- with one surety in like amount.
- ii) On being released on bail, applicant shall make payment of Rs.1 Lakh within three weeks from his release on bail. Said amount be deposited before the Sessions court, Nashik.
- iii) While on bail, applicant shall mark his presenrce with the police station in whose jurisdiction he is residing, once in six months.
- iv) Applicant shall produce proof of his residence to the Investigating Officer and intimate change of address in future, if any, to the concerned police station.
- v) Application stand disposed of as allowed.
- vi) Parties to act on an authenticated copy of this order.

(P. N. DESHMUKH, J.)