

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE**

**CRIMINAL APPLICATION NO.575 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.571 OF 2016
WITH
CRIMINAL APPLICATION NO.576 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.571 OF 2016**

Kedar Parshuram Shetye ... **Applicant**

V/s.

Prashant Parshuram Bhalekar & Anr. ... **Respondents**

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Ms.Manisha A. Devkar, Advocate for the Applicant.

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

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CORAM : P. N. DESHMUKH J.

DATED : 13th OCTOBER 2016.

P.C.

1 Issue notice to respondents. Learned Additional Public Prosecutor accepts notice on behalf of respondent/State.

2 Learned counsel for the applicant by these two applications prays for suspension of sentence and bail contending that applicant was on bail pending trial, as well as, appeal, and he is willing to deposit Rs.1,50,000/- within two weeks, against the amount of cheque involved in the present applications, which was valued for Rs.2,85,000/-.

3 Perused the documents filed in support of the applications. Applicant is found to be convicted for the offence punishable under

Section 138 of the Negotiable Instruments Act, 1881 and is directed to undergo rigorous imprisonment for one year. Applicant is directed to pay compensation of Rs.3,50,000/-, in default to suffer simple imprisonment for one month.

4 Appeal preferred against said conviction order came to be dismissed by the learned Additional Sessions Judge and applicant on 6th October 2016 is taken in custody.

5 Having regard to facts, as aforesaid, applications are allowed by suspending substantive sentence imposed upon the applicant as per order below :

- i) Applicant shall be released on bail on his executing personal bond in the sum of Rs.20,000/- with one or two sureties in the like amount.
- ii) Applicant shall deposit amount of Rs.1,50,000/- within two weeks from his release on bail and shall mark his presence with Lanja Police Station, District-Ratnagiri once in three months on first day of such month.
- iii) Applicant shall supply true copies of residential proof to concerned police station and in the event of change of his residence shall update the same.

(P. N. DESHMUKH J.)