

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

**CRIMINAL APPLICATION NO.592 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.585 OF 2016**

Mr.Sanjay Mahadeo Rengade ... **Applicant**

V/s.

The State of Maharashtra & Anr. ... **Respondents**

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Mr.Sudhir Konde, Advocate for the Applicant.

Mr.P.H.Gaikwad-Patil, APP for the Respondent/State.

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CORAM : P. N. DESHMUKH J.

DATED : 20th OCTOBER 2016.

P.C.

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

2 Learned counsel for the applicant seeks suspension of substantive sentence and bail contending that applicant was on bail pending trial and has deposited 25% of cheque amount before the Appellate Court, and is willing to deposit further 25% amount, and thus prays that applicant be released on bail as applicant is serving as a clerk in Government of India.

3 Perused the record. Applicant is convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, and is sentenced to suffer simple imprisonment for one month and to pay compensation of Rs.2,10,000/-, in default to suffer simple for one month.

4 Appeal preferred is dismissed on 14/10/2016 and applicant has surrendered to custody on the same day.

5 Considering the fact that applicant was on bail pending trial, and as it is noted that the cheque amount involved is of Rs.2,10,000/- out of which amount of Rs.52,500/- is deposited in the Appellate Court, application is allowed as per order below :

- (i) Applicant shall be released on bail on his executing personal bond in the sum of Rs.15,000/- with one surety in like amount.
- (ii) Applicant shall deposit Rs.52,500/- within two weeks from today with District Court, Solapur.
- (iii) Applicant shall mark his presence with Khadki Police Station once in six months pending revision
- (iv) Applicant shall produce his address to the Khadki Police Station and communicate the change, if any.

6 Parties to act upon copy of the order duly authenticated by the Sheristedar of this Court.

(P. N. DESHMUKH J.)