

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.620 OF 2016

IN

CRIMINAL REVISION APPLICATION NO.618 OF 2016

YESHWANT LAXMAN KHADE

)...APPLICANT

V/s.

PUNDLIK AMRUTA THETE AND ANR.

)...RESPONDENTS

Mr.Amey Deshpande, Advocate for the Applicant.

Ms.V.S.Mhaispurkar, APP for the Respondent - State.

CORAM : P N. DESHMUKH, J.

DATE : 27th OCTOBER 2016

P.C. :

1 Not on board. On being mentioned, taken on board.
Issue notice to respondents. Learned APP waives notice on behalf of
respondent – State.

2 Heard learned counsel for applicant. Learned counsel for
applicant submits that application be allowed as applicant is behind
bars since 19th October 2016, after the appeal came to be dismissed by
the learned Sessions court. It is contended that applicant is sentence to

short imprisonment and was on bail pending trial, and that applicant has deposited amount of Rs.33,600/- before the appellate court, of which receipt is tendered on record.

3 Perused the documents. Applicant is convicted for the offence punishable under Section 138 of Negotiable Instruments Act and is sentenced to suffer rigorous imprisonment for 2 months and is directed to pay compensation of Rs.1,68,000/-. It is found that the amount of cheque involved is Rs.1,05,000/-, out of which amount of Rs.33,600/- is deposited. In this circumstance, application is allowed as per order below :

- i) Applicant shall be released on bail on his executing PR.Bond in the sum of Rs.15,000/- with 1 surety in like amount, subject to his making payment of Rs.20,000/- before the appellate court within four weeks from his release on bail.

Registrar, Sessions court, to accept the same.

- ii) While on bail, applicant shall mark his presence with the local police station at Khadechi Wadi, Post Dhondegaon, District Nashik, within whose jurisdiction he is residing.

- iii) Applicant shall submit proof of his residence to the Investigating Officer and update change in address, if any, in future, to the concerned Police station.
- iv) Parties to act on a copy of order duly authenticated by the Sheristedar of this court.

(P. N. DESHMUKH, J.)