

Anand

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

CRIMINAL APPLICATION NO.689 OF 2016

IN

REVISION APPLICATION NO.669 OF 2016

Mrs. Sudha Rajesh Gandhi .Applicant

Vs.

IDBI Limited & anr. .Respondents

Mr.R.C.Mishra, Advocate, for the Applicant
Mr.P.H.Gaikwad-Patil, APP, for the Respondent
No.2 - State

CORAM : REVATI MOHITE DERE, J.

DATE : 19.12.2016

P.C.

. Vide Judgment and Order dated 04.04.2013 passed by the learned Metropolitan Magistrate, 48th Court, Andheri, Mumbai in SCC NO.3040/SS/2010, the Applicant has been convicted for the offence punishable under Section 138 of the Negotiable Instruments Act and has been sentenced to suffer S.I. for one month and has been directed to pay fine of Rs.1,75,000/-, in default to suffer S.I. for 4 months. Out of the said amount of Rs.1,75,000/-,

a sum of Rs.1,70,000/- was directed to be paid to the Complainant. The said Judgment and Order has been confirmed in Appeal, being Cri. Appeal No.309 of 2013 passed by the learned Addl. Sessions Judge, City Civil & Sessions Court, Greater Mumbai.

2. Learned counsel for the Applicant states that out of the said amount of Rs.1,75,000/-, the Applicant has deposited a sum of Rs.34,000/- + Rs.5,000/- = Rs.39,000/- in the Registry of the trial Court. He submits that the Applicant is ready to deposit the balance sum of Rs.1,36,000/- in the Registry of this Court within two weeks from today. The said statement is accepted.

3. Accordingly, the Application is allowed. The Applicant's sentence is suspended and the Applicant is enlarged on bail on the following terms & conditions:-

ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.

4. The Application is allowed in the aforesaid terms and is accordingly disposed of.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)