

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 765 OF 2016
(FOR BAIL)
IN
CRIMINAL REVISION APPLICATION NO. 700 OF 2016**

Pandurang Malhari Kande	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

Mr. P. G. Sarda for the Applicant

Mr. P. H. Gaikwad Patil, A.P.P for the Respondent No.1-State

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 22nd DECEMBER, 2016

P.C. :

1. Heard learned Counsel for the applicant and learned A.P.P for the Respondent-State.

2. The applicant has been convicted by the learned Judicial Magistrate, First Class, Karmala, vide Judgment and Order dated 21st June, 2012, for the offence punishable under Section 138 of the Negotiable Instruments Act and sentenced to suffer S.I for 3 months. The learned Judge has also directed the applicant to pay compensation of Rs. 2 lakhs to the complainant. The said order of conviction and sentence was confirmed

by the learned Additional Sessions Judge, Barshi vide judgment and order dated 13th December, 2016.

3. Learned Counsel for the applicant on instructions of the applicant's son, who is present in Court, states that the applicant is ready to deposit the said compensation amount of Rs. 2 lakhs in this Court within two months from today, without prejudice to his rights and contentions. He submits that the first installment of Rs. 1 lakh will be deposited by the applicant within four weeks from today and the balance Rs. 1 lakh will be deposited within four weeks thereafter. The said statement is accepted.

4. In view of the said statement, the applicant's sentence is suspended and the applicant is enlarged on bail, pending the hearing and final disposal of his Revision Application, on the following terms and conditions :

ORDER

(i) The applicant be released on cash bail in the sum of Rs.10,000/-, for a period of three weeks;

(ii) The applicant shall thereafter furnish P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount, within a period of three weeks of his release on cash bail.

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

6. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.