

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 266 OF 2017
IN
CRIMINAL REVISION APPLICATION NO. 62 OF 2017

SANDESH LAXMAN KERKAR, PRESENTLY
IN COLVALE JAIL, THR. NILAKSHA
SANDESH KERKAR.,

... Applicant

Versus

PIRNA URBAN CO-OPERATIVE CREDIT
SOCIETY LTD., THR. ITS RECOVERY
MANAGER, BALKRISHNA RAUL.,

... Respondent

Ms. Shubhada C Desai, Advocate for the applicant.

Coram:- PRITHVIRAJ K. CHAVAN, J.

Date:- 7th October 2017

P.C.

Leave to amend the application is granted. Learned Counsel shall forthwith amend the application appropriately in order to seek suspension of sentence pending this revision petition.

2. Heard Ms. S. Desai, learned Counsel for the applicant.

3. The applicant has been convicted and sentenced for an offence punishable under Section 138 of the Negotiable Instruments Act by the Judicial Magistrate First Class, Bicholim and has been sentenced to undergo simple imprisonment for four months and compensation of Rs.1,60,000/-(Rupees one lakh Sixty thousand only).

4. It is submitted that the applicant has already deposited an amount of Rs.40,000/-(Rupees forty thousand only) before the District Court. It is submitted that the applicant was on bail during the pendency of the trial and appeal. Learned Counsel on instructions submits that applicant is ready to deposit the balance amount of compensation in the Trial Court. The statement is accepted.

5. As such, the applicant be released on the same terms and conditions under which he was released on bail by the trial Court under Section 437-A of Cr.P.C with a direction that he shall attend this Court as and when directed. It is further directed that the applicant shall be released only on depositing the balance amount of compensation in the trial Court. On depositing the balance amount of compensation, he shall be enlarged on bail. Bail bond shall be furnished before the trial Court.

6. Application stands disposed of.

PRITHVIRAJ K. CHAVAN, J.