

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 228 OF 2017
IN
CRIMINAL REVISION APPLICATION NO. 49 OF 2017

SACHIN JAGANATH PATKAR., ... Applicant

Versus

THE PIRNA URBAN CO-OPERATIVE
CREDIT SOCIETY LTD., THR. ITS
G.M., BABAJI SURYA PAL AND ANR., ... Respondents

Shri Rohan Pandurang Desai, Advocate for the applicant.
Shri S.R.Rivankar, PP for respondent no.2.

Coram:- PRITHVIRAJ K. CHAVAN, J.

Date:- 18th September 2017

P.C.

The applicant has prayed for suspension of sentence passed by learned JMFC on 18.12.2014 by which, the applicant came to be convicted under Section 138 of the Negotiable Instruments Act and sentenced to suffer simple imprisonment for one month and compensation of Rs.85,500/-. An appeal preferred by the applicant also came to be dismissed by the learned Additional Sessions Judge, Panaji on 21st August, 2017.

2. By an affidavit, which is tendered today and taken on record, the applicant has sworn on oath that he had already deposited an amount of Rs. 40,000/- in the Court of Sessions Judge on 28.1.2015 and an amount of Rs. 40,000/- has been deposited by a

demand draft dated 12/9/2017 before this Court. He has enclosed a photostat copy of the demand draft of Rs.40,000/-. The total amount of Rs.80,000/- has already been deposited by the applicant and the learned counsel submits that the applicant shall deposit balance amount also within two weeks from today.

3. As such, the sentence needs to be suspended till the Criminal Revision Application is finally decided, as the applicant has deposited substantial amount. The applicant, therefore, be released on furnishing bail, in a sum of Rs.10,000/- with one solvent surety in the like amount to the satisfaction of Registrar (Judicial) of this Court.

4. Shri S.R.Rivankar, learned Public Prosecutor waives notice on behalf of respondent no.2.

5. Application stands disposed of.

6. Authenticated copy be supplied to the parties.

PRITHVIRAJ K. CHAVAN, J.

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