

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

CRIMINAL APPLICATION NO.218 OF 2017

Rajesh Raghunath Shukla .. Applicant.
v/s.
Amarsinh Jyotyajirao Jadhavrao
& Another .. Respondents.

WITH
CRIMINAL APPLICATION NO.219 OF 2017

Mrs. Dhanshree Rajesh Shukla .. Applicant.
v/s.
Amarsinh Jyotyajirao Jadhavrao
& Another .. Respondents.

Mr. Jayesh Kocheta, for the Applicant in both the Applications.
Mr. Siddharth R. Ronghe, for Respondent No.1 in both the Applications.
Mr. S. R. Agarkar, APP for Respondent-State in both the Applications.

CORAM: SMT. SADHANA S. JADHAV,J.
DATED : 3rd MAY, 2017.

P.C:-

The Applicants herein are convicted by the 22nd Judicial Magistrate First Class, Pune in Summary Criminal Case Nos. 11226/2014 and 11227/2014 respectively for offences punishable under Section 138 of the Negotiable Instrument Act, and had sentenced till rising of the Court and to pay fine of Rs.11,00,000/- by judgment and order dated 1st March, 2017.

2 Being aggrieved by the said judgment and order, the

Applicants have filed Criminal Appeal Nos. 145 and 146 of 2017 respectively before the Sessions Court. The learned Sessions Judge by an order dated 5th April, 2017 has directed the Applicants to deposit 1/3rd of the fine amount i.e. Rs.3,66,666/-. The learned Counsel for the Applicants submit that the said quantum to be modified. Upon considering the merit of the matter and particularly the age of the complainant, the order stands partly modified. The Applicant shall deposit an amount of Rs.2,50,000/- each before the Appellate Court within three weeks from today.

3 Upon failure to deposit an amount of Rs.2,50,000/-, learned Appellate Court shall issue a non-bailable warrant against Applicants, calling upon them to serve substantive sentence.

4 The order dated 5th April, 2017 stands modified accordingly.

5 Applications are allowed.

6 Rule made partly absolute.

(SMT. SADHANA S. JADHAV,J.)