

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

**CRIMINAL APPLICATION NO. 369 OF 2017
IN
WRIT PETITION NO. 3157 OF 2017**

Mohd. Salim Abdul Gaffar Shaikh .. Applicant
Versus
M/s. Shikalgr Sahakari Patpedhi Ltd. & Anr. .. Respondents

Mr. Gajendra K. Jadhav, Advocate for the Applicant.
Mr. A.R. Kapadnis, A.P.P. for the Respondent - State.

CORAM : PRAKASH D. NAIK, J.

DATED : 09 AUGUST, 2017.

P.C. :-

1 This is an application for seeking suspension of sentence and grant of bail.

2 The applicant was convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, by judgment and order dated 07.06.2014. The applicant was sentenced to imprisonment for one month and directed to pay compensation of Rs.1,36,500/-. The said judgment and order was challenged by preferring the Revision Application before the Sessions Court. While admitting the Revision Application, the sentence was suspended and the applicant was directed to deposit an

amount of Rs.30,000/- and was released on bail. The applicant had deposited the said amount of Rs.30,000/- to the Sessions Court.

3 It is submitted that the loan amount was of Rs.1,00,000/- and cheque was issued in the sum of Rs.1,36,500/- calculating the interest on the principal amount. It is submitted that the applicant is willing to deposit an amount of Rs.70,000/- within one week from today. Considering the submissions advanced by the counsel for the applicant, bail can be granted to the applicant.

ORDER

- i) Pending Writ Petition No.1357 of 2017, the applicant is directed to be released on bail on furnishing P.R. bond in the sum of Rs.20,000/- with one or more sureties in the like amount.
- ii) In the alternative for furnishing sureties, the applicant is permitted to execute cash security in the sum of Rs.20,000/-.
- iii) The amount of Rs.70,000/- to be deposited in this Court within a period of one week from today.

(PRAKASH D. NAIK, J.)