

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL REVISION APPLICATION NO.116 OF 2017

Devanand Digambar Ganjare

..vs..

Vinod Narayan Tambi

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri R.J. Mirza, Counsel for the applicant.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 29, 2017.

Heard learned counsel Shri R.J. Mirza for the
applicant.

Issue notice afresh to the non-applicant,
returnable on 29.9.2017.

In the meanwhile, call record and proceedings.

Criminal Application (APPR) No.171 of 2017

This is an application for suspension of
substantive jail and for grant of bail.

The applicant, who is convicted by learned
Judicial Magistrate First Class at Amravati for the offence
punishable under Section 138 of the Negotiable Instruments Act,
1881 and whose conviction is upheld by the lower Appellate
Court by dismissing the appeal, is before this Court in the

revision.

Though the Appellate Court has exercised power under Section 389, which was not available to the Lower Appellate Court, as on today the applicant is not in jail.

Looking to the nature of the offence and looking to the fact that this Court has already issued notice to the non-applicant, the substantive jail sentence imposed upon the applicant by learned Judge of the Court below shall remain suspended during the pendency of the present revision on a condition the applicants deposits amount of compensation Rs.3.00 lacs within a period of two weeks before this Court.

The criminal application is disposed of.

JUDGE

!! BRW !!

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