

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 556 OF 2018
IN
CRIMINAL REVISION APPLICATION NO. 456 OF 2018**

Sou. Sandhya Shashikant Gorwade ... Applicant
vs.

Jagvallabh Parshavanath Nagari
Sahakari Patsanstha Ltd. & Anr. ... Respondent

Mr. R.A. Naik i/b. Mr. Umesh R. Mankapure, Advocate for the applicant.

Mr. Kuldeep U. Nikam, Advocate for respondent no. 1.

Mrs. Rutuja Ambekar, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 29th October, 2018**

P.C. :

Upon mentioning, taken on production board.

2. This Application has been moved by the applicant/accused for bail and suspension of sentence. The applicant/accused is prosecuted under section 138 of Negotiable Instruments Act and is convicted by the judgment and order dated 26th September, 2014 passed by the learned Judicial Magistrate First Class, Miraj in S.C.C. No. 405 of 2009. Being aggrieved, the applicant/accused filed Criminal Appeal No. 182 of 2014, which was dismissed by the

judgment and order dated 9th August, 2018 passed by the learned Additional Sessions Judge, Sangli. The order of the learned Magistrate is thereby confirmed.

3. The learned counsel for the applicant/accused has submitted that the cheque amount is of Rs.1,70,000/-. The applicant has already deposited Rs.1,00,000/- in the Court of Judicial Magistrate First Class and she is ready to deposit the remaining amount of Rs.70,000/- within eight weeks. The learned counsel submitted that the applicant be granted bail.

4. The learned counsel for the respondent no.1 submits to the order of the Court.

5. The applicant was on bail throughout the trial and in Appeal. Considering the submissions of the learned counsel for the applicant and the nature of the offence, following order is passed:

- (I) Application is allowed;
- (ii) The impugned sentence is hereby suspended;
- (iii) The applicant/accused shall be released on bail on furnishing P.R. Bond of sum of Rs.10,000/- with one

surety in the like amount;

- (iv) The applicant/accused is directed to deposit Rs.70,000/- on or before 30th November, 2018 in the Court of Judicial Magistrate First Class, Miraj.
- (v) It is to be noted that on acceptance of the statement made by the learned counsel for the applicant that the applicant is ready to deposit remaining amount of Rs.70,000/-, bail is granted to the applicant/accused.
- (vi) The applicant shall not jump the bail;
- (vii) The applicant shall furnish her permanent address and contact number to the investigating officer.
- (viii) The applicant shall make herself available at the time of hearing of Revision Application.
- (ix) Liberty granted to the respondent no. 1/original complainant to move an application for withdrawal of the amount in the Court of Judicial Magistrate First Class, Miraj and Sessions Court at Sangli.

(MRIDULA BHATKAR, J.)