

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 315 OF 2018****IN****CRIMINAL REVISION APPLICATION NO. 336 OF 2018**

Sanjivan Rajaram Bhosale

....Applicant

Vs.

The State of Maharashtra & Anr.

....Respondents.

Mr. Suraj Naik I/by Mr. R.D.Suryawanshi for the Applicant.

Mr. Amit Palkar APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 4th SEPTEMBER, 2018.****P.C.:-**

This is an Application for suspension of sentence and for releasing the Applicant on bail.

2 The Applicant is convicted under Section 138 of the Negotiable Instruments Act and is sentence to suffer rigorous imprisonment for five months and to pay compensation of Rs.5,50,000/-, failing which the Applicant to further undergo rigorous imprisonment for one month in Summary Criminal Case No. 71 of 2013 by the learned Judicial Magistrate, First Class, Rajapur, by its Judgment and Order dated 4th September, 2015.

The Criminal Appeal No. 64 of 2015 preferred by the Applicant has been dismissed by the learned Sessions Judge, Ratnagiri by its Judgment and Order dated 12th June, 2018.

3 The learned counsel appearing for the Applicant submitted that, during the pendency of the Appeal, the Applicant has deposited an amount of Rs.1,00,000/- in the Registry of the Trial Court.

4 The Applicant is hereby directed to further deposit an amount of Rs.1,75,000/- in the Registry of the Trial Court within a period of three weeks from today. Upon deposit of the said amount of the compensation, which constitutes 50% of the total amount of compensation, the substantive sentence imposed upon the Applicant shall remain suspended during the pendency of the present Revision Application.

Hence the following order-

- a) The substantive sentence imposed upon the Applicant is suspended during the pendency of the present Revision Application, subject to aforesaid condition.
- b) During the pendency of the Revision, the Applicant be released on bail on his furnishing PR

bond of Rs.15,000/- with one or two local sureties
in the like amount.

5 Application is allowed in the aforesaid terms.

6 It is made clear that, if the Applicant fails to deposit the
said amount of Rs.1,75,000/- in the Registry of the Trial Court within
three weeks from today, the Order of suspending substantive sentence
of the Applicant shall stand vacated forthwith without further
reference to the Court.

(A.S. GADKARI, J.)