

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 569 OF 2018
IN
REVISION APPLICATION NO. 594 OF 2018**

Sou. Aparna Adhik Bhosale ... Applicant
vs.

The State of Maharashtra & Anr. ... Respondents

Mr. Prajakt M. Arjunwadkar, Advocate for the applicant.

Mr. S.S. Hulke, APP for the respondent/State.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: 1st November, 2018

P.C. :

Upon mentioning, taken on production board.

2. This Criminal Application is moved for suspension of sentence and for bail. The applicant/accused is convicted under section 138 of Negotiable Instruments Act by the judgment and order dated 15th October, 2015 passed by the learned Judicial Magistrate First Class, Miraj by which the applicant/accused is sentenced to suffer R.I. for 6 months with fine of Rs.10,000/-, in default of payment of fine, to undergo further R.I. for 2 months and also directed to pay total fine amount of Rs.3,10,000/- towards the compensation. The said order was confirmed with some

modification in the judgment and order dated 16th October, 2018 in Criminal Appeal No. 228 of 2015 passed by the learned Additional Sessions Judge, Sangli. Against this, the Revision Application is filed.

3. The learned counsel for the applicant submitted that the applicant has deposited the entire amount of compensation of Rs.3,00,000/- on 1st February, 2017. He submitted that the applicant has good case on merits. He submitted that the applicant/accused was on bail throughout the trial and Appeal and she be granted bail.

4. The learned APP submits to the order of the Court.

5. In view of the submissions of learned counsel and as the amount of Rs.3,00,000/- is already deposited on 1st February, 2017, following order is passed:

- (i) Application is allowed;
- (ii) The sentence of conviction is suspended;
- (iii) The fine amount of Rs.10,000/- is to be deposited in the trial Court within four weeks from today;

- (iv) The applicant/accused is released on bail on furnishing P.R. Bond in a sum of Rs.15,000/- with one or two sureties in the like amount;
 - (v) The applicant shall not jump the bail;
 - (vi) The applicant shall furnish his permanent address and contact number to the Investigating officer.
 - (vii) The applicant shall make herself available at the time of hearing of Revision Application.
6. Criminal Application is disposed of on above terms.
7. Parties to act upon the authenticated copy of this order.

(MRIDULA BHATKAR, J.)