

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.621 OF 2018
IN
CRIMINAL REVISION APPLICATION NO.658 OF 2018**

Ajay Abhivilas Shiravankar ... Applicant

Vs.

The State of Maharashtra & anr. ... Respondents

Mr.Harshad Bhadbhade i/b A.M. Landge for the Applicant
Ms.Veera Shinde, APP, for the Respondent – State

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: DECEMBER 12, 2018**

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This application is preferred by the applicant/accused for bail and suspension of the impugned sentence in the Criminal Revision Application. The applicant/accused was convicted by order dated 12.11.2009 passed by the learned JMFC, Dapoli, Ratnagiri and sentenced to suffer S.I. for 1 year and payment of fine of Rs.10,000/-, in default to suffer S.I. for one month. He is also directed to pay to the complainant a compensation of Rs.90,750/- and in addition, an amount of Rs.5,000/- towards the expenses. The applicant/accused filed Criminal Appeal No.20 of 2009, however, the said appeal was dismissed with costs by order dated

4.12.2018 by the learned Additional Sessions Judge, Khed, Ratnagiri. Hence, this revision application and the application for bail and suspension of sentence during the pendency of the revision.

3. The learned Counsel submits that the applicant/accused is convicted for the offence under section 138 of the Negotiable Instruments Act and the offence is bailable. The learned Counsel for the applicant/accused submits that the applicant/accused was taken in custody on the same date. He was on bail throughout the trial and also during the appeal period. He submits that the applicant/accused is having a good case on merits and hence, the impugned sentence be suspended and the applicant/accused be granted bail.

4. Learned Prosecutor submits to the orders of the Court.

5. Heard. Considering the submissions of the learned Counsel, the application is allowed on the following terms:

- a) The applicant-accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.10,000/- (Rupees Ten thousand only) with one surety in the like amount;

b) The applicant-accused shall deposit a sum of Rs.50,000/- within one week from the date of his release.

c) The applicant/accused shall attend on all the Court dates;

6. Criminal application is disposed of accordingly.

7. Issuance of Writ is expedited.

8. All concerned to act on an authenticated copy of this order.

(MRIDULA BHATKAR, J.)