

Vidya Amin.

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

CRIMINAL APPLICATION No. 1458 OF 2018

Smt. Shyamala Shekhar Bane ... Applicant
VS.
Appaso Tatoba Kale & Anr. ... Respondents

Mr. Balwant V. Salunkhe, Advocate for the applicant.
Mr. A.R. Patil, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 17th December, 2018**

P.C. :

Upon mentioning, taken on production board.

2. This Criminal Application is filed under section 482 along with section 389 of Cr.P.C. challenging the order dated 3rd November, 2018 passed by the learned Sessions Judge, Jaysingpur below Exhibit 5 in Criminal Appeal No. 37 of 2018.

3. By the judgment and order dated 3rd October, 2018 passed by the learned Judicial Magistrate First Class, Kurundwad, the applicant/accused is convicted for the offences punishable under section 138 of Negotiable Instruments Act and is sentenced to suffer R.I. for 6 months and also directed to pay compensation of Rs.2,00,000/- to complainant and in default to suffer S.I. for one

month. Being aggrieved by the said order, the applicant filed Criminal Appeal No. 37 of 2018 before the learned Sessions Judge and moved an Application for suspension of sentence and for bail. The learned Sessions Judge while suspending the sentence passed conditional order directing the applicant/accused to deposit compensation of Rs.2,00,000/- in the Court within two months. Hence, this Application.

4. The learned counsel for the applicant submitted that as per section 148 of the amended Negotiable Instruments Act, the applicant is ready to deposit 20% of the amount.

5. Learned APP submits to the order of the Court.

6. In view of Section 133 and Section 148 of Negotiable Instruments Act, the applicant/accused is directed to deposit the amount of Rs.50,000/- by way of compensation in two instalments- firstly, Rs.25,000/- on or before 27th December, 2018 and the remaining Rs.25,000/- on or before 10th January, 2018.

7. Criminal Application is disposed of.

(MRIDULA BHATKAR, J.)