

SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3 OF 2018

IN

CRIMINAL REVISION APPLICATION NO.19 OF 2018

Sukumar Nandlal Shah

..Applicant.

V/s.

M/s. Nimchand Thakershi & Anr.

..Respondents.

Mr.Ashwin Rana i/b. Kamini Rana for the applicant.

Ms.Beerta H Bajwa i/b. Lalla & Lalla for respondent no.1

Mrs.N.S. Jain, APP for the respondent-State.

CORAM: NITIN W.SAMBRE, J.

DATE : APRIL 13, 2018

PC.:-

The applicant has filed a revision application challenging his conviction for an offence punishable under section 138 of the Negotiable Instruments Act, 1881 and confirmed in appeal. This application is filed by the applicant for suspension of his sentence and grant of bail.

2. The applicant has in all deposited Rs.18 lakhs against

the compensation of Rs.30 lakhs. The amount having been deposited before the Court of the learned Magistrate is not dispute.

3. In view thereof, there shall be order of suspension of sentence and release of the applicant on bail. The applicant be admitted to bail on the same terms on which he was released by the learned Magistrate.

4. Pursuant to oral request made by the respondent No.1-original complainant, the respondent No.1-original complainant is permitted to withdraw the amount of Rs.13 lakhs deposited before the Court of the learned Magistrate upon submitting an undertaking that in case if the revision is allowed, the amount will be re-deposited in the Court with interest at the rate of 6% p.a. within a period of 6 weeks from the date of allowing the said revision.

5. The criminal application stands disposed of in above terms.

(NITIN W.SAMBRE, J.)