

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

**CRIMINAL APPLICATION NO. 240 OF 2018
IN
CRIMINAL REVISION APPLICATION NO. 243 OF 2018
AND
CRIMINAL APPLICATION NO. 241 OF 2018
IN
CRIMINAL REVISION APPLICATION NO. 244 OF 2018**

Mrs. Rekha Kurani ... Applicant

Versus

The State of Maharashtra & Anr. ... Respondents

Mr. Aabad Ponda I/by Karan Jain for Applicant.

Mr. P. H. Gaikwad, APP for Respondent No.1 – State.

CORAM : NITIN W. SAMBRE, J.

DATE : APRIL 27, 2018.

P.C. :

. The Applicant is convicted under Section 138 of the Negotiable Instruments Act by the Metropolitan Magistrate, 71st Court, Mazgaon at Sewree in Criminal Case No. 7100901/SS/2013 vide Judgment and order dated 23rd May 2014 which is confirmed by the

Additional Sessions Judge, City Civil & Sessions Court, Gr. Mumbai in Criminal Appeal No. 541 of 2014 vide Judgment and order dated 2nd April 2018.

2. By both the Criminal Applications, Applicant is seeking suspension of sentence and release on bail. To demonstrate her *bona fides* in both these matters, the Applicant has tendered Demand Draft bearing Nos. 002606 and 002607 drawn in favour of the Registrar (Judicial) of this Court on criminal side for an amount of Rs. 3,20,000/- and Rs. 2,40,000/-.

3. There appears to be substantial compliance in the wake of law laid down by the Apex Court in the matter of *Dilip S. Dhanukar V/s. Kotak Mahindra Co.*¹

4. In view thereof, sentence is suspended. The Applicant – Accused be admitted to bail on same terms on which she was ordered to be released by the learned trial Judge during the pendency of trial.

5. Both the Criminal Applications stand allowed in above terms.

¹ (2007) 6 S.C.C. 528

6. The Demand Drafts which are tendered to this Court be handed over to the Registrar (Judicial), Criminal Side, High Court, Bombay.

(NITIN W. SAMBRE, J.)