

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.285 OF 2017
IN
CRIMINAL REVISION APPLICATION NO.296 OF 2017

Suresh Gangwani
versus
The State of Maharashtra and another

Applicant

Respondents

Mr.Rishikesh Mohite i/by Sandeep S. Kumbhar for applicant.
Mr.S.R.Shinde, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 20th June 2018

PC :

1. This is an application for suspension of sentence and grant of bail. The applicant is convicted for offence u/s 138 of Negotiable Instruments Act vide judgment and order dated 23rd September 2010. The Trial Court awarded sentence of three months imprisonment and directed the applicant to deposit Rs.3,00,000/- towards compensation. The appeal preferred by the applicant has been dismissed by judgment and order dated 27th February 2017.

2. Learned advocate for applicant, on instructions, submits that Rs.60,000/- has been deposited before the Trial Court during pendency of the appeal. It is further submitted that the balance amount of Rs.2,40,000/- will be deposited by the applicant in this Court within one week from today.

3. In the circumstances, sentence of imprisonment awarded by the Trial Court and confirmed by the Sessions Court can be suspended. Hence, I pass following order :

ORDER

- (i) Pending Criminal Revision Application No.296 of 2017, the sentence awarded by learned Metropolitan Magistrate, 30th Court, Kurla, Mumbai in Case No.3011365/SS/2007 and confirmed by the Judgment and order dated 27th February 2017 passed by Additional Sessions Judge, City Civil and Sessions Court, Greater Mumbai in Criminal Appeal No.534 of 2010 is suspended and the applicant is directed to be released on bail on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (ii) The applicant is directed to deposit Rs.2,40,000/- on or before 27th June 2018 in this Court;
- (iii) Criminal Application No.285 of 2017 is disposed off.
- (iv) List Criminal Application No.285 of 2017 for reporting compliance.

(PRAKASH D. NAIK, J.)

MST