

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

CRIMINAL APPLICATION NO. 277 OF 2018

IN

CRIMINAL REVISION APPLICATION NO. 289 OF 2018

Mr. Monish Suresh Ganwani

... Applicant

Vs.

State of Maharashtra & Anr.

... Respondents

...

Ms. Minal J. Chandnani for the applicant.

Mrs. M.R. Tidke, APP for the Respondent-State.

...

CORAM : PRAKASH D. NAIK, J.

DATE : 11th JUNE, 2018

P.C.

1. This is an application seeking suspension of sentence awarded by the Trial Court while convicting the applicant for an offence under Section 138 of Negotiable Instrument Act. The applicant was convicted by Judgment and Order dated 24th September, 2014 and sentence to suffer simple imprisonment for a period of three months, the applicant was directed to pay Rs.3,20,000/- by way of compensation. The appeal preferred by the applicant has been dismissed vide Judgment and Order dated 27th March, 2018 by the Sessions Court.

2. The learned advocate for the applicant submits that during pendency of appeal, the applicant has deposited an amount

of Rs.80,000/-. The learned advocate on instructions submits that the applicant shall further deposit an amount of Rs.80,000/- within two weeks from today.

3. In the circumstances, till next date of hearing, the sentence can be suspended and bail can be granted to the applicant. Hence, I pass the following order.

ORDER

(i) The sentence of imprisonment awarded by the trial Court vide judgment and order dated 24th September, 2014 and confirmed by the Sessions Court while dismissing the appeal vide judgment and order dated 27th March, 2018, is suspended and the applicant is directed to be released on bail by executing PR Bond in the sum of Rs.20,000/- (Rupees Twenty Thousand) with one or two sureties in the like amount;

(ii) The applicant is directed to deposit an amount of Rs.80,000/- within a period of two weeks from today;

(iii) This interim bail shall be in operation till the next date of hearing.

(iv) Criminal Applications stands disposed of.

(PRAKASH D. NAIK, J.)