

Vidya Amin.

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

**CRIMINAL APPLICATION No. 369 OF 2018
IN
CRIMINAL REVISION APPLICATION No. 374 OF 2017**

Dadamiya M. Bagewadi ... Applicant

vs.

Navin Mukund Prabhu & Anr. ... Respondents

Mr. Dushyant S. Pagare, Advocate for the applicant.

Mr. A.R. Patil, APP for the respondent/State.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: 4th December, 2018

P.C. :

Upon mentioning, taken on production board.

2. This Application is moved for bail and suspension of sentence. By the judgment and order dated 4th November, 2015 passed by the learned Judicial Magistrate First Class, Chandgad in Summary Criminal Case No. 231 of 2012, the applicant/accused is convicted for the offences punishable under section 138 of Negotiable Instruments Act and is sentenced to suffer S.I. for one year and to pay a fine of Rs.60,00,000/- with 9% interest and i/d. to suffer S.I. for one year. The said judgment of learned Judicial Magistrate First Class, Chandgad is confirmed by the judgment

and order dated 31st May, 2017 passed by the learned Additional Sessions Judge, Gadhinglaj. The applicant/accused was arrested and taken in custody on 24th October, 2018.

3. The learned counsel for the applicant has submitted that the applicant/accused was on bail throughout the trial and also throughout the appeal period. It is a bailable offence and the applicant has good case on merits. He prays that the applicant be released on bail and sentence be suspended.

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

5. Considering the submissions made by the learned counsel for the applicant and the nature of the offence, the Application is allowed on the following terms and conditions:

- (i) The sentence is hereby suspended till the hearing of this Revision Application;
- (ii) The applicant/accused shall be released on bail on the furnishing P.R. Bond in a sum of Rs.15,000/- with one or two sureties in the like amount on a condition of depositing an amount of Rs.25,00,000/- in the Court of

Judicial Magistrate First Class, Chandgad.

- (iii) The applicant/accused shall not jump the bail;
- (iv) The applicant/accused shall make himself available at the time of hearing of Revision Application;
- (v) The applicant shall not leave the country without permission of this Court.

6. Criminal Application is disposed of on above terms.

(MRIDULA BHATKAR, J.)