

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

**CRIMINAL APPLICATION NO.448 OF 2018
IN
CRIMINAL REVISION APPLICATION NO.477 OF 2018**

Sanjay Addayappa Hebbale ... Applicant

Vs.

The State of Maharashtra & anr. ... Respondents

Mr.Jayant Bardeskar for the Applicant

Ms.Veera Shinde, APP, for the Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: OCTOBER 25, 2018

P.C.:

1. The applicant/accused is convicted by judgment and order dated 5.7.2014 passed by the learned JMFC, Kolhapur under section 138 of the Negotiable Instruments Act and is sentenced to suffer imprisonment for 3 months and is also ordered to pay compensation of Rs.59,450/- to the complainant within one month from the date of the order. The appellant challenged the said order in Appeal No.22 of 2014 and the learned Sessions Judge, Gadhinglaj, Kolhapur, vide his order dated 25.6.2018 dismissed

the appeal and confirmed the order. The accused has, therefore, filed this revision application challenging the said order and also moved the application for suspension of sentence and appeal.

2. In view of the submissions made by the learned Counsel for the applicant, the applicant is directed to deposit total amount of Rs.59,450/- in this Court on or before 31.10.2018. Subject to the deposit, the following order is passed:

- i) The impugned conviction and sentence dated 5.7.2014 passed by the learned JMFC, Kolhapur is suspended pending revision;
- ii) The applicant be released on bail upon furnishing bail bond in the sum of Rs.15,000/- with equal surety, before the learned JMFC, Gadhinglaj on or before 2.11.2018, upon production of the receipt of payment of the compensation amount.
- iii) The applicant shall remain present in the Court at the time of hearing of Revision.

3. Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)