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

**CRIMINAL APPLICATION NO. 452 OF 2018
IN
REVISION APPLICATION NO. 480 OF 2018**

Ms. Sharaddha Mahesh Samant

..Applicant

Vs

The State of Maharashtra & Anr.

..Respondents

Mr. Saurabh Bhutala for applicant.

Mr. S.S. Hulke, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 12th September 2018.

P.C.:

1] This is an application for suspension of sentence and for releasing the applicant on bail.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record.

3] The applicant is convicted under Section 138 of the Negotiable Instruments Act and is sentenced to suffer simple imprisonment of three months and to pay a compensation of Rs.11,25,000/-, by the learned Judicial Magistrate First Class, Ratnagiri in S.C.C. No.934 of 2014 by its Judgment and Order dated 19.7.2018.

Criminal Appeal bearing No. 25 of 2017 preferred by the applicant has been turned down by the learned Sessions Judge, Ratnagiri by its Judgment and Order dated 16.8.2018.

4] The learned counsel for the applicant submitted that, after the appeal preferred by the applicant has been dismissed by the Appellate Court, she has been taken into custody.

5] As the maximum sentenced imposed upon the applicant is of three months of simple imprisonment, I am inclined to suspend the substantive sentence and release the applicant on bail subject to condition that, the applicant shall deposit a sum of Rs.6.00 lakhs in the Registry of Trial Court within a period of two weeks from the date of her actual release from jail.

Hence the following Order:

(i) During the pendency of the Revision, the substantive sentence imposed upon the applicant is suspended.

(ii) During the pendency of the Revision, the applicant be released on bail on her furnishing PR bond in the sum of Rs.10,000/- with one or two local sureties in the like amount.

(iii) It is made clear that, the applicant will have to deposit Rs.6.00

lakhs in the Registry of the Trial Court within a period of two weeks from her actual release from jail without seeking any extension of time in that behalf, failing which the bail granted to the applicant shall stand cancelled without further referee to this Court.

(iii) Applicant shall not tamper with evidence and/or influence the prosecution witnesses.

6] Application is allowed in the aforesaid terms.

All the concerned to act on an authenticated copy of this Order,

(A.S.GADKARI, J.)

Anil
Chandrakant
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by Anil
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2018.09.14
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