

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

**CRIMINAL APPLICATION NO. 488 OF 2018
WITH
CRIMINAL APPLICATION NO. 489 OF 2018
IN
CRIMINAL REVISION APPLICATION (ST.) NO. 516 OF 2018**

Mr.Santosh Arjun Gholap

...Applicant

Versus

Satish Balasaheb Konde & Anr.

...Respondents

.....

Mr.Vikas B. Shivarkar for the Applicant.

Mrs.Rutuja Ambekar,APP for Respondent No.2-State.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED : OCTOBER 24, 2018**

P.C.:

CRIMINAL APPLICATION NO. 488 OF 2018

1. Notice is awaited.
2. Stand over to 4th December, 2018.

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3. This Application is moved by the applicant/accused for bail and suspension of sentence. The applicant/accused is convicted for the offence punishable under Section 138 of the Negotiable Instrument Act and is sentenced to suffer S.I. for six months with direction of payment

of compensation of Rs. 2,25,000/-, which was to be paid within one month from the order dated 11th July, 2012 passed by the learned Judicial Magistrate First Class, Bhore, Dist. Pune in S.T.C.C. No. 369 of 2007. The present applicant/accused has challenged the said order in the Sessions Court, Pune by filing Criminal Appeal No. 414 of 2013. The learned Sessions Judge, Pune by the judgment and order dated 2nd April, 2018 has confirmed the conviction given by the learned Judicial Magistrate First Class, Bhore and dismissed the Appeal.

4. The learned counsel for the applicant/accused has submitted that today, the applicant/accused is present before the Court. He has further submitted that conviction warrant is issued by the learned Judicial Magistrate First Class, Bhore, Dist. Pune. The applicant/accused is ready to deposit an amount of Rs.1,00,000/- in two installments. He has further submitted that the applicant/accused has good case on merits. The applicant/accused was on bail throughout the trial and Appeal.

5. The learned APP submits to the order of the Court.

6. In view of the above submission, the applicant/accused is directed to deposit an amount of Rs. 50,000/- in the Court of Judicial Magistrate First Class, Bhore, Dist. Pune on or before 30th October, 2018 and further

amount of Rs. 50,000/- is to be deposited in the Court of Judicial Magistrate First Class, Bhore, Dist. Pune on or before 26th November, 2018. The said amount is to be invested in the fixed deposit of any nationalized bank. The applicant/accused is further directed to surrender before the learned Judicial Magistrate First Class, Bhore, Dist. Pune for cancellation of warrant on 30th October, 2018 and shall produce challan showing the payment of Rs.50,000/-.

7. In view of this, sentence is hereby suspended. The learned Judicial Magistrate First Class, Bhore, Dist. Pune to consider the bail.

8. Criminal Application is allowed and is accordingly disposed of.

(MRIDULA BHATKAR, J.)