

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 521 OF 2018
IN
CRIMINAL REVISION APPLICATION NO. 539 OF 2018**

Rajendra Rajaram Nawale ... Petitioner
VS.
Shabir Hatim Bootwala & Anr. ... Respondents

Mr. Nitiin B. Patil, Advocate for the applicant.
Mrs. Rutuja Ambekar, APP for respondent no. 2/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 12th October, 2018**

P.C. :

Upon mentioning, taken on production board.

2. The applicant is convicted for the offence punishable under section 138 of Negotiable Instruments Act by the judgment and order dated 3rd May, 2018 passed by the learned Metropolitan Magistrate, 58th Court, Bandra, Mumbai. Criminal Appeal No. 356 of 2018 preferred by the applicant/accused was dismissed by judgment and order dated 24th September, 2018 passed by the learned Additional Sessions Judge & Special Judge, Greater Mumbai. Hence, this Revision Application.

3. The learned counsel for the applicant submitted that there

was settlement between the parties for Rs.8,00,000/- and the applicant has deposited Rs.3,00,000/-. He further submitted that the applicant is ready to deposit the balance amount. The learned counsel submitted that on 24th September, 2018 the applicant was taken in custody and since then he is in custody. The learned counsel submitted that this is a bailable offence. He submitted that applicant will deposit Rs.1,00,000/- this month and is ready to deposit balance Rs.4,00,000/- within next two months.

4. In view of the submissions, the Application is allowed on the following terms and conditions:

- (i) The applicant/accused is released on bail on furnishing P.R. Bond in a sum of Rs.5,000/- with one surety in the like amount;
- (ii) The applicant is directed to deposit Rs.1,00,000/- on or before 16th October, 2018 and shall deposit Rs.2,00,000/- on or before 13th November, 2018 and further Rs.2,00,000/- on or before 10th December, 2018. The applicant shall deposit the amount before the trial Court;
- (iii) The applicant shall not jump the bail;

(iv) The applicant shall furnish his permanent address to the Investigating Officer alongwith documentary proof of his address;

5. Parties to act upon the authenticated copy of the order.

6. Criminal Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)