

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 21 OF 2019
IN
CRIMINAL REVISION APPLICATION NO. 7 OF 2019

SHAILESH BALCHANDRA MAINEKAR., ... Applicant

Versus

VPK URBAN CO-OPERATIVE CREDIT
SOCIETY LTD., REP. BY NARAYAN
LAXMAN GAUDE AND ANR., ... Respondents

Mr. Samir Taleigaonkar, Advocate for the Applicant.
Mr. Jatin Ramaiya, Advocate for the Respondent No. 1.
Mr. Pravin N. Faldessai, Additional Public Prosecutor for the
Respondent No. 2.

Coram:- C. V. BHADANG, J.

Date:- 31st January 2019

P.C.

This is an application for suspension of sentence.

2. The applicant has been convicted for the offence punishable under Section 138 of the Negotiable Instruments Act and has been sentenced to suffer simple imprisonment for a period of 15 days and to pay compensation of Rs.3,99,800/-. Out of the said compensation, the applicant has deposited Rs.2 lakhs with the respondent no. 1. Today, the learned Counsel for the applicant has furnished a Demand Draft for Rs.75,000/, which is handed over to the learned Counsel for the respondent no. 1.

3. The learned Counsel for the applicant, on instructions, undertakes to deposit the remaining amount of compensation, within a period of another two weeks. The statement is accepted.

4. In such circumstances and on hearing the learned Counsel for the parties, the following order is passed:

O R D E R

(a) The substantive sentence of imprisonment, awarded to the applicant is hereby suspended, subject to the applicant furnishing a P.R. bond in the sum of Rs.10,000/- alongwith one solvent surety in the like amount, before the learned Magistrate.

(b) The applicant shall deposit the remaining amount of compensation, within a period of two weeks, before the learned Magistrate. In the event, the amount is not deposited within a period of two weeks, the order of suspension of sentence is liable to be recalled.

(c) All concerned to act on the basis of an authenticated copy of the order.

C. V. BHADANG, J.