

**IN THE HIGH COURT OF BOMBAY AT GOA**  
**CRIMINAL MISC. APPLICATION NO.269 OF 2019**  
**IN**  
**CRIMINAL REVISION APPLICATION NO.39 OF 2019**

Mr. Sushant Volvoikar,  
S/o. late Subray Volvoikar,  
32 years of age, Indian National,  
R/o. Hill View Building,  
Santa Cruz, Ponda, Goa.  
Now residing at H.No.737,  
Ward No.1, Talsai,  
Borim, Ponda, Goa.

.... Applicant

V/s

1. Mr. Pandurang Naik,  
S/o.Rama Naik,  
Major of age, Service,  
Indian National, H.No.531,  
Adpai, Ponda-Goa.
2. State,  
Through P.P., High court Building,  
Altinho, Panaji, Goa.

.... Respondents

Shri J. Godinho, Advocate for the Applicant.

Shri G. Nagvekar, Additional Public Prosecutor for the Respondent No.2.

**Coram:- PRITHVIRAJ K. CHAVAN, J.**

**Date :- 5<sup>th</sup> November, 2019**

**ORAL ORDER :**

This is an application for suspension of sentence by the applicant, who has been convicted and sentenced by the learned JMFC, Ponda of an offence under Section 138 of the Negotiable Instruments Act directing him to suffer simple imprisonment for 8

months and fine of ₹2,50,000/-, in default simple imprisonment for 4 months. An appeal preferred by the applicant before the Additional Sessions Judge also came to be dismissed against which he has approached this Court.

2. Heard Shri Godinho, learned Counsel for the applicant. It is submitted, on instructions, that an amount of ₹66,700/- has already been deposited in the Sessions Court on 14/02/2019 and the applicant would deposit the balance amount in the Registry of this Court within two weeks from today. Statement is accepted.

3. Pending the decision of the revision application, the applicant be enlarged on bail on furnishing a PR bond in the sum of ₹15,000/- with one surety in the like amount to the satisfaction of the Registrar (Judicial) of this Court, subject to deposit of the balance amount.

4. Application stands disposed of.

**PRITHVIRAJ K. CHAVAN, J.**

NH