

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

**CRIMINAL APPLICATION No. 157 OF 2019
IN
CRIMINAL REVISION APPLICATION No. 160 OF 2019**

Vikas Raosaheb Ransing

...Applicant

Versus

Raosaheb Shamrao Deshmukh & Anr.

...Respondents

Mr.Veerdhaval Kakade for the Applicant.
Mr. A.R.Patil, APP for Respondent No.2-State.

**CORAM : MRS. MRIDULA BHATKAR, J.
DATE : 25 MARCH 2019**

P.C.:

1. Upon urgent mentioning, taken on production board.
2. This Criminal Application is filed for bail and suspension of sentence. The applicant/accused is convicted for the offence punishable under section 138 of the Negotiable Instruments Act and is sentenced to suffer R.I. for 5 months and directed to pay compensation of Rs. 2,00,000/- to the complainant, in default to suffer S.I. for 1 month by judgment and order dated 10.01.2018 passed by the learned Judicial Magistrate First Class, Madha. The said order of

conviction was confirmed by the learned Sessions Judge, Solapur by judgment and order dated 13.03.2019 in Criminal Appeal No. 41 of 2018 with modification that the substantive sentence of R.I. for 5 months was reduced to R.I. for 3 months and directed to pay compensation of Rs. 3,25,000/- to the complainant, in default to suffer S.I. for 1 month. Hence, this Application.

3. The learned counsel for the applicant/accused submits that the applicant/accused is taken in custody on the same day i.e., 13.03.2019. He further submits that the applicant/accused was on bail throughout the trial and also during the appeal. He further submits that the applicant/accused is not having any criminal record. He further submits that the applicant/accused has already deposited Rs.50,000/- towards compensation during suspension of sentence. He further submits that the applicant/accused is ready to deposit Rs. 50,000/- towards compensation if some time is granted.

4. The learned APP is present and submits to the orders of the Court.

5. The statement made by the learned counsel for the applicant/accused in respect of payment of Rs. 50,000/- towards compensation in the trial Court is accepted.

6. Considering the submissions of the learned counsel and also as there is no chance that the Revision Application will be heard in near future, the Criminal Application is allowed on the following terms :

i) The applicant/accused shall deposit an amount of Rs. 50,000/- towards compensation in the Court of the learned Judicial Magistrate First Class, Madha on or before 15.04.2019;

ii) The sentence shall be suspended till the hearing of the Criminal Revision Application and the applicant/accused shall be released on bail upon furnishing a P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount, subject to depositing an amount of Rs. 50,000/- towards compensation in the trial Court within stipulated time;

iii) The applicant/accused shall not jump the bail;

iv) The applicant/accused shall make himself available on all the Court dates.

7. Issue notice to the respondents in the Criminal Revision Application, returnable on 17.06.2019.

8. The Criminal Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)