

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 218 OF 2019
IN
CRIMINAL REVISION APPLICATION NO. 216 OF 2019**

Sanjay Jambu Jakate ... Applicant
vs.
Onkar Textiles & Anr. ... Respondents

Mr. Kedar Jaysing Patil, Advocate for the applicant.
Mrs. M.R. Tidke, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 10th April, 2019**

P.C. :

Upon urgent mentioning, taken on production board.

2. The Criminal Application is moved by the applicant/accused for suspension of sentence and for bail pending the Criminal Revision Application. The applicant/accused was convicted for the offences punishable under section 138 of Negotiable Instruments Act and is sentenced to suffer simple imprisonment for 20 days and to pay fine of Rs.2,08,693/- by judgment and order dated 24th August, 2018 passed by the learned Judicial Magistrate First Class, Ichalkaranji in S.C.C. No. 151 of 2017. The said judgment and order was confirmed in Criminal Appeal No. 32 of 2018 by

judgment and order dated 27th March, 2019 passed by the learned Additional Sessions Judge, Ichalkaranji.

3. The learned Counsel for the applicant/accused submitted that it is a bailable offence. Further, the applicant/accused was on bail throughout the trial and also during the appeal.

4. Learned Prosecutor is present and submits to the orders of the Court.

5. In view of the submissions of the learned Counsel and also as there is no chance that the Revision Application will be heard in near future, the application is allowed on the following terms:

- i) The sentence is suspended, pending this Criminal Revision Application;
- ii) 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;
- (iii) The applicant/accused shall deposit a sum of Rs. 50,000/- on or before 15th June, 2019.
- (iv) The applicant/accused shall make himself available on all the Court dates.

(v) The applicant/accused shall not indulge into any criminal activity;

6. Criminal Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)