

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 230 OF 2019
IN
CRIMINAL REVISION APPLICATION NO. 223 OF 2019
WITH
CRIMINAL REVISION APPLICATION NO. 223 OF 2019**

Yasin Abdul Mujawar ... Applicant
VS.
Vilas Dattatray Palujkar & Anr. ... Respondents

Mr. Mahindra B. Deshmukh, Advocate for the applicant.
Mrs. Veera Shinde, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 16th April, 2019**

P.C. :

Upon urgent mentioning, taken on production board.

2. 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 rigorous imprisonment for six months and to pay compensation and in default, to suffer simple imprisonment for three months by the judgment and order dated 24th July, 2014 passed by the learned Judicial Magistrate First Class, Vita in

Summary Criminal Case No. 379 of 2012. The said judgment and order was confirmed in Criminal Appeal No. 143 of 2014 by order dated 21st February, 2019 passed by the learned Additional Sessions Judge-3, Sangli.

3. The learned Counsel for the applicant/accused submitted that it is a bailable offence. He submitted that the applicant was on bail throughout the trial and also during the appeal. He submitted that the cheque amount is Rs.4,50,000/- and out of that, the applicant has deposited Rs.50,000/- till now.

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 is directed to deposit Rs.50,000/- in the Judicial Magistrate First Class, Vita on or before 3rd May, 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.

7. Issue notice to respondent no. 1 in the Criminal Revision Application, returnable on 7th August, 2019.

(MRIDULA BHATKAR, J.)