

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 33 OF 2019
IN
CRIMINAL REVISION APPLICATION No. 29 OF 2019**

Manoj Taurani ... Applicant
vs.
The State of Maharashtra & Anr. ... Respondents

Mr. Sushant Narkar, Advocate for the applicant.
Mr. Vinod Chate, APP for respondent No. 1/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 21st January, 2019**

P.C. :

Upon mentioning, taken on production board.

2. The Criminal Application is moved by the applicant/accused for suspension of the impugned judgement and conviction dated 7th February, 2015 passed by the learned Metropolitan Magistrate and also for bail pending the Criminal Revision Application. The applicant/accused is convicted for the offence punishable under section 138 of Negotiable Instruments Act in C.C. No. 1608/SS/2010 by the learned Metropolitan Magistrate, 58th Court, Bandra, Mumbai by judgment and order dated 7th February, 2015. Criminal Appeal No. 290 of 2015 was filed challenging the said

order and by the judgment and order dated 10th December, 2018 passed by the learned Additional Sessions Judge, City Civil Court, Greater Bombay, Criminal Appeal was dismissed.

3. The learned Counsel for the applicant/accused submitted the applicant/accused has deposited a sum of Rs.37,500/- out of out of compensation of Rs.1,50,000/-. He submitted that the applicant/accused has a good case on merits. **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 applicant/accused shall deposit a sum of Rs.25,000/- on or before 6th February, 2019.
- (ii) Subject to the deposit being made as mentioned above, 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 sentence is suspended till the hearing of Criminal Revision Application;

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

6. Issue notice to the respondent no. 2 in the Criminal Revision Application, returnable on 18th March, 2019.

7. Criminal Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)