

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 169 OF 2019  
IN  
CRIMINAL REVISION APPLICATION NO. 181 OF 2019**

Vijay Umakant Sonar ... Applicant  
vs.  
Pankaj Devichand Bhandari & Anr. ... Respondents

Mr. Vikas B. Shivarkar, Advocate for the applicant.  
Mrs. Veera Shinde, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.  
DATED: 5<sup>th</sup> April, 2019**

**P.C. :**

The Criminal Application is moved by the applicant/accused for suspension of sentence and also for bail pending the Criminal Revision Application. The applicant/accused was convicted for the offences punishable under section 138 of Negotiable Instruments Act and was sentenced to suffer simple imprisonment for two months and to pay compensation of Rs.2,50,000/- and i/d. to suffer further simple imprisonment for one month by the order dated 18<sup>th</sup> October, 2013 passed by the learned Judicial Magistrate First Class, Igatpuri. The said order was challenged by way of Criminal Appeal No. 137 of 2013, which was dismissed by the learned Sessions Judge, Nashik by order dated 22<sup>nd</sup> February, 2019.

2. The learned Counsel for the applicant/accused submitted that out of the cheque amount of Rs.2,25,000/-, the applicant has deposited Rs.42,000/-. He submitted that it is a bailable offence. Further, the applicant/accused was on bail throughout the trial and also during the appeal.

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

4. 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 make himself available on all the Court dates;
- (iv) The applicant/accused shall not jump the bail;
- (v) The applicant/accused shall not indulge into any

criminal activity;

(vi) The applicant is directed to deposit 20% of the cheque amount in the trial Court on or before 30<sup>th</sup> April, 2019. The complainant is allowed to withdraw the said amount by giving undertaking as per Negotiable Instruments Act;

5. Criminal Application stands disposed of accordingly.
6. Place the Criminal Revision Application on 5<sup>th</sup> July, 2019.

**(MRIDULA BHATKAR, J.)**