

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 224 OF 2019
WITH
CRIMINAL APPLICATION NO. 225 OF 2019
IN
CRIMINAL REVISION APPLICATION (St.) NO. 243 OF 2019**

M/s. Suraj Trading Co. Vita
Prop. Shri Uaddhav Nivrutti Ravtale ... Applicant
vs.
Vasantdada Shetkari Sahakari Bank
Ltd., Sangli & Anr. ... Respondents

Mr. Vijay Killedar, Advocate for the applicant.
Mr. A.R. Patil, 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 No. 225 of 2019 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 four months and to pay compensation and in default, to suffer simple imprisonment for one month by judgment

and order dated 24th March, 2008 passed by the learned 2nd Joint Civil Judge Junior Division and Judicial Magistrate First Class, Vita in Summary Criminal Case No. 169 of 2006. The said judgment and order was confirmed in Criminal Appeal No. 148 of 2008 by order dated 14th June, 2018 passed by the learned Special Judge and Additional Sessions Judge-3, Sangli.

3. The learned Counsel for the applicant/accused submitted that the applicant/accused was not present and therefore, the warrant of conviction is issued. The learned counsel submitted that the applicant was not aware of the order of conviction by the Sessions Court because he has left Maharashtra and now he is working at Amritsar, therefore, he could not keep track of Criminal Appeal No. 148 of 2008. The learned counsel submitted that the cheque amount is Rs.50,000/- and he has deposited the entire amount in the trial Court.

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 before the trial Court;
- (iii) The applicant/accused shall make himself available on all the Court dates.
- (iv) The applicant/accused shall not indulge into any criminal activity;

6. Criminal Application No. 225 of 2019 stands disposed of accordingly.

Criminal Application No. 224 of 2019

Issue notice to the respondent no. 1, returnable on 6th August, 2019.

(MRIDULA BHATKAR, J.)