

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 232 OF 2019
IN
CRIMINAL REVISION APPLICATION NO. 226 OF 2019
WITH
CRIMINAL REVISION APPLICATION NO. 226 OF 2019**

Yogesh Madhukar Palkar ... Applicant
VS.
Shankar Yashwant Jadhav & Anr. ... Respondents

Mr. Ramdas Hake Patil, 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 two months and to pay compensation and in default, to suffer simple imprisonment for six months by judgment and order dated 10th December, 2010 passed by the learned 8th Joint Judicial Magistrate First Class,

Kalyan in Summary Criminal Case No. 1301 of 2008. The said judgment and order was confirmed in Criminal Appeal No. 3 of 2011 by order dated 11th April, 2019 passed by the learned Additional Sessions Judge, Kalyan.

3. The learned Counsel for the applicant/accused submitted that the applicant/accused is in custody since 11th April, 2019. The learned Counsel for the applicant/accused submitted that it is a bailable offence. He submitted that the cheque amount is Rs.1,73,000/- and out of that, the applicant has deposited Rs.50,000/-.

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 is directed to deposit Rs.25,000/- in the trial Court 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 the respondents in the Criminal Revision Application, returnable on 7th August, 2019.

(MRIDULA BHATKAR, J.)