

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

**CRIMINAL APPLICATION No. 247 OF 2019
IN
CRIMINAL REVISION APPLICATION No. 239 OF 2019**

Sahadevnan Narayanan ...Applicant

Versus

Nathu Shyamrao Chaudhari & Anr. ...Respondents

Mr.Sachin Gite for the Applicant.
Mrs.M.R.Tidke, APP for the Respondent-State.

**CORAM : MRS. MRIDULA BHATKAR, J.
DATE : 23 APRIL 2019**

P.C.:

1. Upon urgent mentioning, taken on production board.
2. This Criminal Application is moved by the applicant/accused for suspension of sentence and bail. The applicant/accused is convicted for the offence punishable under section 138 of the Negotiable Instruments Act and sentenced to suffer S.I. for 3 months and directed to pay a fine of Rs. 4,15,000/-, in default to suffer S.I for another 3 months by judgment and order dated 23rd March, 2016 passed by the learned Judicial Magistrate First Class, Court No.3, Nashik. The said order was challenged

in Criminal Appeal No. 77 of 2016. The said Appeal was dismissed by judgment and order dated 10th April, 2019 passed by the learned Additional Sessions Judge-3, Nashik and directed the applicant/accused to surrender before the trial Court within two weeks thereafter.

3. The learned Counsel for the applicant/accused submits that the said period will get over on 24th April, 2019. He further submits that the applicant/accused was on bail throughout the trial and during the period of appeal. He further submits that the applicant/accused has deposited Rs. 2,00,000/- in the Sessions Court, Nashik at the time of admission of Appeal. Hence, he prays that the applicant/accused be granted bail and the sentence be suspended.

4. The learned APP submits to the orders passed by this Court.

5. Heard. In view of the submissions made by the learned Counsel and considering the nature of the offence, the application is allowed on the following terms:

- i) The impugned sentence is suspended pending 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 not jump the bail.

iv) The applicant/accused shall make himself available at the time of hearing of Revision Application.

6. In Criminal Revision Application, issue notice to the respondents, returnable on 3rd June, 2019.

(MRIDULA BHATKAR, J.)