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

**CRIMINAL APPLICATION NO. 343 OF 2019
IN
REVISION APPLICATION NO. 335 OF 2019**

Bharati Textiles,
Pripietor Timappa Laxman Konkati
Vs

..Applicant

Jailaxmi Yarns

..Respondents

Mr. P.G. Sarda for the Applicant.
Ms. J.S. Lohokare, APP for the State.

CORAM : A.S. GADKARI, J.

DATE : 10th July 2019.

P.C.:

1] This is an application for suspension of sentence and for releasing the applicant on bail.

2] The applicant is convicted under Section 138 of Negotiable Instruments Act, 1881 and was sentenced to suffer rigorous imprisonment for three months and to pay fine of Rs.2,40,000/-, in default of payment of fine to suffer simple imprisonment for one month, by the learned Judicial Magistrate First Class, Solapur in S.T.C. No.4864 of 2013 by its Judgment and Order dated 25.7.2017.

3] Criminal Appeal bearing No.61 of 2017 preferred by the applicant has been dismissed by the learned Additional Sessions Judge, Solapur by its Judgment and Order dated 2.7.2019.

4] As the sentence imposed upon the applicant is a short term sentence, I am inclined to suspend the substantive sentence imposed upon the applicant and release him on bail.

Hence the following Order:

(i) During the pendency of the present Revision, the substantive sentence imposed upon the applicant is suspended.

(ii) During the pendency of the Revision, the applicant be released on bail on his furnishing PR bond in the sum of Rs.10,000/- with one or two local sureties in the like amount.

(iii) The procedure for the bail be completed before the Trial Court i.e. Judicial Magistrate First Class, Solapur.

(iv) Applicant to deposit entire fine amount before his actual release from jail. It is made clear that, payment of entire fine amount is condition precedent for suspending sentence and releasing the applicant on bail.

5] Application is allowed in the aforesaid terms.

All the concerned to act on an authenticated copy of this Order.

(A.S.GADKARI, J.)