

Versus

Mr. Sandeep Mishra for the Petitioner

Mr. A. R. Patil, A.P.P for the Respondent No.1-State

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 5th NOVEMBER 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this petition, the petitioner has impugned the order dated 1st
December 2018 passed by the learned Additional Sessions Judge, Thane,
below Exhibits 4 and 5 in Criminal Appeal No. 195 of 2018, inasmuch as, it
directs the petitioner to deposit Rs. 9,00,000/- within one month from the
date of the order.

3 Perused the papers. The petitioner is convicted for the offence
punishable under Section 138 of the Negotiable Instrument Act vide

judgment and order dated 31st October 2018. Vide the said judgment and order, the petitioner was sentenced to suffer SI for six months and to pay compensation of Rs. 25,00,000/-, in default, to suffer SI for one month. Being aggrieved by the said judgment and order, the petitioner filed a Criminal Appeal before the learned Sessions Judge, Thane, along with an application for suspension of his conviction and sentence and for his enlargement on bail. The learned Sessions Judge allowed the said application and suspended the petitioner's conviction and sentence dated 31st October 2018, on the condition that the petitioner deposits Rs. 9,00,000/- within one month from the date of the order. The petitioner was also enlarged on bail vide the said order.

4 Despite the learned Additional Sessions Judge directing the petitioner to deposit Rs. 9,00,000/- within one month from the date of the order i.e. on or before 1st January 2019, till date, the petitioner has not deposited the said amount. No infirmity can be found in the said order directing the petitioner to deposit Rs. 9,00,000/-.

5 Accordingly, the petition is rejected. However, time is extended by a period of six weeks from today to enable the petitioner to deposit Rs. 9,00,000/- as directed by the learned Additional Sessions Judge

vide order dated 1st December 2018. It is made clear that no further extension will be granted.

6 Petition is disposed of accordingly.

REVATI MOHITE DERE, J.