

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 446 OF 2017
IN
CRIMINAL REVISION APPLICATION NO. 465 OF 2017**

Archana Snehal Kamble ...Applicant

Versus

Sadguru Advertising (P) Ltd. & anr. ...Respondents

Mr. Suresh Dubey, for the Applicant.

Mrs. M. H. Mhatre, APP for the State/Respondent no.2.

CORAM: N. J. JAMADAR, J.

DATED : 13th DECEMBER, 2019

PC:-

1. Heard the learned Counsels for the parties.
2. This is an application for suspension of sentence and enlarging the applicant on bail.
3. The applicant has been convicted by the judgment and order dated 2nd June, 2012, by the learned Metropolitan Magistrate, 50th Court, Vikhroli, for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, in Case No.8147/SS/2010, and sentenced to suffer simple imprisonment for three months and directed to pay fine of Rs.3,000/- plus compensation of Rs.11,00,000/- to the complainant, with default stipulation. On appeal, being Criminal Appeal No.395 of 2012, the learned Sessions Judge,

Greater Bombay, by judgment and order dated 22nd August, 2017, dismissed the appeal and confirmed the judgment and order passed by the learned Magistrate.

4. Being aggrieved, the applicant has invoked the revisional jurisdiction of this Court.

5. Mr. Dubey, the learned Counsel for the applicant submits that the applicant was on bail during the pendency of the trial and appeal as well. The applicant has deposited the entire amount of compensation as directed to be paid by the learned Magistrate.

6. It is unlikely that the revision application can be heard and decided in the immediate future. The applicant was on bail during the pendency of the trial and appeal as well. Hence, the applicant deserves to be enlarged on bail. Thus, the following order.

: O r d e r :

- (i) The sentence imposed, by judgment and order dated 2nd June, 2012, by the learned Metropolitan Magistrate, 50th Court, Vikhroli, in Case No.8147/SS/2010, and confirmed by the learned Sessions Judge, Greater Bombay, by judgment and order dated 22nd August,

2017, in Criminal Appeal No. 395 of 2012, stands suspended till disposal of the revision application.

- (iii) The applicant be released on bail on furnishing a PR Bond of Rs.15,000/- and a surety in the like amount to the satisfaction of the learned Magistrate.
- (iii) The application stands disposed of.

[N. J. JAMADAR, J.]