

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL REVISION APPLICATION NO.197 OF 2019

[Shri Rajesh Nandlal Mundada .vs. Shri Ishwar Devidas Parag]

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Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders
.....

Court's or Judge's orders

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Shri S.M. Prasad, Advocate for the applicant.
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CORAM : MRS. SWAPNA JOSHI, J.

DATED : AUGUST 23, 2019.

Leave to amend. The amendment be carried out forthwith.

Heard.

Issue notice to the non-applicant-original complainant made returnable after two weeks.

Criminal Application (APPR) No.257/2019

By this application, the applicant-original accused prays for suspension of jail sentence and grant of bail.

Heard Shri S.M. Prasad, the learned counsel for the applicant-original accused and submits that he has deposited the amount of Rs.10,000/- in this court today itself.

The applicant-original accused is convicted by the learned Judicial Magistrate, First Class, Court No.25 (Special Court 138 Negotiable Instrument Act), Nagpur for the offence punishable under Section 138 of the Negotiable Instruments Act and sentenced

to suffer simple imprisonment for three months and to pay the compensation of Rs.50,000/- within 45 days to the complainant from the date of passing of this order and in default to suffer simple imprisonment for six months.

The applicant was on bail during the pendency of appeal as well as trial. The learned counsel submits that total compensation amount of Rs.25,000/- is deposited by the applicant in the court.

Taking into consideration the nature of offence and also considering the that would not be possible to take up the hearing of the this revision finally by this Court in near future due to pendency of old matters, I am of the view that the applicant is entitled to suspension of jail sentence and grant of bail. Hence the following order :

ORDER

Criminal Application No.257/2019 is allowed. The substantive jail sentence imposed against the applicant is suspended during the pendency of the present revision. The applicant shall be released on bail by executing fresh bonds in the sum of Rs.15,000/- in the trial court.

Criminal Application stands disposed of. Hamdast allowed.

JUDGE