

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

CRIMINAL REVISION NO. 27 OF 2020

Lalitmohan Dullichand Gupta

vs.

Meena Vinod Mishra

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

Court's or Judge's orders

Mr. U. J. Deshpande, couinsel for the applicant.

CORAM : MANISH PITALE J.

DATED : 15/12/2020

Heard learned counsel for the applicant.

2. Issue notice, returnable in **08 weeks**.
3. Call for R & P.

CRIMINAL APPLICATION (APPR) NO. 29 OF 2020

By this application, the applicant seeks suspension of sentence during the pendency of the accompanying Revision Application.

2. It is contended on behalf of the applicant that the Courts below have wrongly convicted him under Section 138 of the Negotiable Instruments Act, 1881. According to the applicant, there is scant evidence on record to establish the guilt of the applicant. It was the

defence of the applicant that he had taken handloan of Rs.50,000/- from the brother of the respondent/complainant and that the said amount was returned, but, the cheque given by way of security was misused and the said case under Section 138 of the aforesaid Act was lodged against the applicant.

3. This Court has considered the material on record and the submissions made on behalf of the applicant, the present application is allowed and the sentence imposed upon the applicant is suspended during the pendency of the Revision Application, subject to the applicant depositing an amount of Rs.50,000/- in this Court within a period of **four weeks** from today.

JUDGE