

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

**INTERIM APPLICATION NO. 138 OF 2021
IN
REVISION APPLICATION NO. 16 OF 2021**

Ramesh Rajaram Salunkhe ... Applicant.

Vs.

Inderjit Singh Rana & Anr. ... Respondent.

Mr.Rushikesh Patil for Applicant.

Smt. Rutuja Ambekar, A.P.P. for Respondent No.2-State.

**CORAM : A.S. GADKARI, J.
DATE : 20TH JANUARY 2021**

P.C. :

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

2. The applicant has been convicted under Section 138 of the Negotiable Instruments Act, 1881 and is sentenced to suffer simple imprisonment for 3 (three) months and to pay fine of Rs.2,35,000/- in default of payment of fine to further suffer simple imprisonment for fifteen days by the learned Judicial Magistrate, First Class, Pimpri, Pune in S.C.C. No. 785 of 2012 by its Judgment and Order dated 23rd March 2016.

The Criminal Appeal No.224 of 2016 preferred by the applicant has been dismissed by the learned Additional Sessions Judge, Pune by its Order dated 27th October 2020.

3. Learned counsel appearing for the applicant submitted that, during the pendency of the trial so also in appeal, the applicant was on bail and there is no report of breach of any of the conditions. He further on instructions submitted that, the applicant has deposited a sum of Rs.35,000/- in the Registry of the Appellate Court.

4. The sentence imposed upon the applicant is a short term sentence. The possibility of hearing the present Revision Application on its own merits in near future is remote. In view thereof, the sentence imposed upon the applicant can be suspended and he can be release on bail.

5. Hence, the following Order :-

- (i) During the pendency of the present Criminal Revision Application, the substantive sentence imposed upon the applicant is suspended.
- (ii) Applicant be released on bail in S.C.C. No. 785 of 2012 on his furnishing P.R. bond of Rs.10,000/- with one or two local sureties in the like amount.
- (iii) Out of the balance amount of total fine amount the applicant is directed to deposit an additional sum of Rs.1,00,000/- in the Registry of Appellate Court within a period three weeks from today.
- (iv) It is made clear that, the period to deposit the said fine amount will not be extended on any count.

6. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)