

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1299 OF 2021****WITH****INTERIM APPLICATION NO.1298 OF 2021****IN****CRIMINAL REVISION APPLICATION NO. 119 OF 2021**

Atul Supadu Kasar

... Applicant

V/s.

Madhukar Kashinath Pawar & Anr.

... Respondents

Mr.Pritesh K. Bohade for Applicant.

Mr. S.S. Hulke, A.P.P. for Respondent No.2-State.

CORAM : A.S. GADKARI, J.**DATE : 21st April 2021.****(Through Video Conferencing)****PC. :**

1. These are Applications for suspension of sentence and releasing the Applicant on bail.

2. Applicant is convicted under Section 138 of the Negotiable Instruments Act, 1881 and is sentenced to suffer simple imprisonment till rising of the Court and to pay a compensation of Rs.3,00,000/- to the Respondent No.1, by the 4th learned Judicial Magistrate First Class, Nashik in S.C.C. No.4767 of 2015, by its Judgment and Order dated 15th September 2017

Criminal Appeal No.186 of 2017 preferred by the Applicant has been dismissed by the learned Additional Sessions Judge-4, Nashik, by its Judgment and Order dated 2nd March 2021.

3. Mr.Bohade, learned counsel for the Applicant submitted that, the Applicant was released on bail during trial so also during the pendency of the Appeal and there is no report of breach of any of the conditions imposed upon him.

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 released on bail subject to condition that, the Applicant shall deposit a sum of Rs.1,50,000/- in the Registry of the Trial Court within a period of three week from today.

5. Hence, the following Order :-

- (i) During the pendency of the present Revision Application, the substantive sentence imposed upon the Applicant is suspended.
- (ii) Applicant be released on bail in S.C.C. No.4767 of 2015 on his furnishing PR. bond of Rs.10,000/-, with one or two local sureties in the like amount.
- (iii) As noted above, the Applicant shall deposit a sum of Rs.1,50,000/- out of total amount of compensation awarded in favour of Respondent No.1 in the Registry of Trial Court

within a period of three weeks from today.

- (iv) It is made clear that, the period to deposit the said amount of compensation will not be extended on any count.

6. Applications are allowed in the aforesaid terms.

7. All the concerned to act on the basis of the authenticated copy of this Order.

[A.S. GADKARI, J.]