

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

***INTERIM APPLICATION NO. 1852 OF 2021
IN
CRIMINAL REVISION APPLICATION NO. 146 OF 2021***

M/s. Pavansut Krushishva Kendra
Through Prop. Dipak Kapadi
Versus

...Applicant

Laxmi Agro Agency,
through Prop. Of Nishikant Jairam
Suryawanshi & Anr.

...Respondents

Mr. Pratik A. Kalantri for the Applicant

None for the Respondent No. 1

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

CORAM : REVATI MOHITE DERE, J.
(THROUGH VIDEO-CONFERENCING)
MONDAY, 26th JULY 2021

P.C. :

1 Heard learned counsel for the parties.

2 The applicant, vide judgment and order dated 28th September 2017 passed by the learned Judicial Magistrate First Class, Nashik in SCC No. 4906/2004, has been convicted for the offence punishable under

Section 138 of the Negotiable Instruments Act and is sentenced to suffer simple imprisonment for three months and to pay compensation of Rs. 25,000/-, in default, to suffer simple imprisonment for one month.

3 The said judgment and order dated 28th September 2017 has been confirmed by the Appellate Court i.e. the Sessions Court, vide judgment and order dated 11th February 2021.

4 It is not in dispute that the applicant was on bail pending trial as well as during the pendency of his appeal before the Sessions Court. It is also not in dispute that whilst on bail, the applicant has not misused or abused the liberty granted to him. The applicant has deposited the fine amount of Rs. 25,000/-. The revision application has been admitted by a separate order passed today and the same is not likely to be heard in the immediate near future.

5 Considering the aforesaid, the application is allowed and the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of his revision application, on the following terms and conditions :

ORDER

(i) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount;

(ii) The applicant shall report to the trial Court, once in six months on the day/date specified by the trial Court, till his appeal is finally disposed of;

(iii) The applicant shall not contact or threaten the victim, witnesses or any person concerned with the case;

(iv) The applicant shall keep the trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time;

6 The application is disposed of accordingly.

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

REVATI MOHITE DERE, J.