

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL INTERIM APPLICATION NO. 1900 OF 2021
IN
CRIMINAL REVISION APPLICATION NO. 152 OF 2021

 $1/3$

No.2 (Original Complainant) had filed a complaint as against the Applicant for the offence punishable under Section 138 of the Negotiable Instruments Act, in the year 2003. He submits that the amount involved in the dishonour of cheques was Rs.2,00,000/-. Learned Counsel for the Applicant submits that during the pendency of the case filed by the Respondent No.2 (Original Complainant), the Applicant handed over a piece of land by a Sale Deed to the Respondent No.2 in the year 2006. He submits that there is evidence on record to show that the said transfer was in lieu of the dishonour of cheques. He submits that even otherwise, the Applicant has without prejudice deposited Rs.1,50,000/- in the Appellate Court i.e. Sessions Court during the pendency of his appeal.

4. The Applicant was on bail pending trial as well as in the Appellate Court. Having perused the evidence, the Applicant has made out a case for suspension of his sentence and enlargement of bail, pending the hearing and final disposal of his aforesaid Revision Application.

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 appeal, 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 Revision Application is finally disposed of;
 - iii) 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. Learned Counsel for the Applicant states that he will not file any application seeking withdrawal of the amount deposited by the Applicant, in the Appellate Court. Statement Accepted.
7. The application is accordingly disposed of.
8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.