

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL REVISION APPLICATION NO. 288 OF 2022
WITH APPLN/3251/2022 IN REVN/288/2022**

Mohsin Jahangir Shaikh

.. Applicant

Versus

The State of Maharashtra and another

.. Respondents

Mr. Naseem R. Shaikh, Advocate for the Applicant.

Mrs. P. V. Diggikar, APP for Respondent No. 1.

CORAM : KISHORE C. SANT, J.

DATED : 27th SEPTEMBER, 2022.

P C. :-

1. Heard the learned advocate for the applicant.
2. The learned advocate for the applicant submits that out of the fine amount of Rs. 25,000/- (Rs. Twenty Five Thousand only) an amount of Rs. 5,000/- (Rs. Five Thousand only) was already deposited. An amount of Rs. 3,000/- (Rs. Three Thousand only) is deposited as a fine amount while obtaining bail during the course of appeal. Now, only an amount of Rs. 17,000/- (Rs. Seventeen Thousand only) is remaining. The learned advocate undertakes to deposit the said amount in the Court during the course of day. He prays that since the matter is arising out of proceeding under Section 138 of the Negotiable

Instruments Act (for short “N.I. Act”) and since the applicant is ready to deposit the entire remaining amount of compensation, his sentence be suspended. The learned advocate further submits that, the sentence was suspended till yesterday, however, he has not yet surrendered. Though it is expected that such a request need not be considered unless the accused person surrenders before the Court.

3. Considering the fact that, this is an offence arising out of proceeding under Section 138 of the N. I. Act and the applicant is ready to deposit the remaining amount of compensation, the sentence is suspended.

4. The order to take effect only after an amount of Rs. 17,000/- (Rs. Seventeen Thousand only) is deposited during the course of day in the office of this Court.

5. Parties to act upon authenticate copy of this order.

(KISHORE C. SANT, J.)

PS.B.