

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

**INTERIM APPLICATION NO.2023 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.276 OF 2022**

Shital Sanjay Puntalekar

.. Applicant

Versus

Nadiya Sameer Naik and Anr.

.. Respondents

.....

Mr.Ashish V. Pawaskar, Advocate for the Applicant.

Mr.A.R. Patil, APP for the Respondent No.2-State.

.....

CORAM : PRAKASH D. NAIK J.

DATED : JULY 01, 2022.

P.C. :

This is an application for suspension of sentence and grant of bail during the pendency of Criminal Revision Application No.276 of 2022.

2 The applicant is convicted for the offence punishable under Section 138 of the Negotiable Instruments Act *vide* judgment and order dated 29th November, 2021 passed by 4th Judicial Magistrate First Class Ratnagiri in SCC No.1236 of 2017 and sentenced to suffer imprisonment for one month and to pay compensation of Rs.1,00,000/- to the complainant. The applicant has challenged trial Court's judgment by preferring Appeal before the

Additional Sessions Judge, Ratnagiri, which has been dismissed by judgment and order dated 22nd June, 2022. The applicant has been taken into custody.

3 Learned advocate for the applicant submitted that the applicant is in custody from 22nd June, 2022. During the pendency of Appeal, the applicant had deposited an amount of Rs.20,000/-. Copy of the receipt has been annexed to this Application. It is further submitted that the applicant would deposit an amount of Rs.30,000/-, within a period of one month. His statement is accepted.

4 Considering the aforesaid circumstances, by way of interim relief, the sentence of imprisonment is suspended and bail can be granted to the applicant.

5 Hence, I pass the following order:

:: ORDER ::

- (i) The sentence of imprisonment vide judgment and order dated 21st November, 2021, passed by 4th Judicial Magistrate First Class Ratnagiri in SCC No.1236 of 2017 and confirmed by Additional Sessions Judge, Ratnagiri, in Criminal Appeal No.21 of 2021, is suspended and the applicant is directed to be released on bail on executing

P.R.Bond in the sum of Rs.15,000/-, with one or more sureties in the like amount;

(ii) Applicant/appellant is permitted to furnish cash bail security of Rs.15,000/-, for a period of eight weeks, in lieu of surety;

(iii) Applicant shall deposit an amount of Rs.30,000/- before the trial Court within a period of four weeks after her release;

(iv) Interim Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)