

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

**INTERIM APPLICATION NO.549 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.98 OF 2022**

M/s.Ambika Electrovision
Through Kunal Dungaram Mali

.. Applicant

Versus

M/s.Rahul Furniture & Anr.

.. Respondents

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Mr.Ajinkya Badar, Advocate for the Applicant.

Mr.Sagar B. Deokar, Advocate for Respondent No.1.

Mr.Anand Kumar Jain, Advocate for Complainant/Respondent.

Mr.Arfa Sait, APP for the Respondent No.2- State.

Mrs.Kavita K. Mali, Wife of accused present in Court.

Mr.Anant Kumar Jain, Complainant, present in Court.

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CORAM : PRAKASH D. NAIK, J.

DATED : FEBRUARY 18, 2022.

P.C. :

Learned counsel for the applicant and respondent no.1 submitted that the parties have arrived at settlement. The consent terms are executed between them. The consent terms are tendered and the same are taken on record in the revision application preferred by the applicant.

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The applicant is convicted for the offence punishable

under Section 138 of Negotiable Instruments Act, and sentenced to suffer imprisonment of three months. The applicant is directed to pay compensation amount of Rs.18,00,000/-.

3 The applicant Kunal Dungaram Mali is in custody from 8th February, 2022.

4 In view of the consent terms, the sentence of imprisonment can be suspended during the pendency of the Revision Application.

5 Hence, I pass the following order:

:: ORDER ::

- (i) The sentence of imprisonment imposed vide judgment and order dated 23rd April, 2018, passed by J.M.F.C. Vadgaon Maval, Pune, in S.T.C.C. No.206 of 2013, and, confirmed by the Sessions Court vide judgment and order dated 8th February, 2022, is suspended and the applicant Kunal Dungaram Mali is directed to be released on bail on executing P.R.Bond in the sum of Rs.20,000/-, with one or more sureties in the like amount;

- (ii) Applicant is permitted to furnish cash bail in the sum of Rs.20,000/-, for a period of 10 weeks, in lieu of surety;
- (iii) In the event there is breach of the conditions of the consent terms, the complainant would be at liberty to prefer an application for cancellation of bail granted to the applicant;
- (vi) Interim Application No.549 of 2022, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)