

4. Perused the papers. The petitioner, vide Judgment and Order dated 13th October, 2021, has been convicted for the offence punishable under Section 138 of the Negotiable Instruments Act and has been sentenced to suffer simple imprisonment for one year and to pay fine of Rs.8,00,000/-, jointly and severally, alongwith co-accused, within 30 days, and in default, to suffer further simple imprisonment for three months. Being aggrieved by the said Judgment and Order of conviction and sentence, the applicant filed an appeal in the Sessions Court, being Criminal Appeal No. 371 of 2021 alongwith an application seeking suspension of his sentence. The learned Sessions Judge, vide order dated 12th November, 2021, admitted the said appeal and also allowed the application seeking suspension of the applicant's sentence. The petitioner was granted bail with a direction to furnish surety as set out in the order dated 12th November, 2021. It appears that the petitioner could not furnish surety and hence, filed an application seeking extension of two weeks' time to comply with the said order, as there was a typographical error in the order dated 12th November, 2021. Time was granted. It appears that as the petitioner could not again arrange the surety within the prescribed time, the petitioner, filed another application and sought extension of time to comply with the order dated 12th November, 2021 and in the alternative, sought

modification of the order i.e. sought permission to deposit cash in lieu of surety. The said application was rejected by the learned Sessions Judge on the ground that despite the petitioner being granted sufficient time to comply with the said order, the same was not complied with.

5. Today, learned Counsel for the petitioner seeks extension of time to furnish the surety as directed by the learned Sessions Judge vide order dated 12th November, 2021.

6. Accordingly, for the reasons set out in the application, time is extended by a period of eight weeks from today to enable the petitioner to furnish surety. It is made clear that no further time will be granted. Accordingly, the impugned order dated 23rd February, 2022 is quashed and set aside.

7. The petitioner, to furnish the surety as directed by the Sessions Court within the aforesaid period. Till then, the bail granted by the Sessions Court, to continue for a period of eight weeks.

8. Petition is accordingly disposed of on the aforesaid terms.

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

REVATI MOHITE DERE, J.