

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

CRIMINAL WRIT PETITION NO. 3175 OF 2022

Sidharth Bharat Bhusan Jain And Ors. ...Petitioners

Versus

State Of Maharashtra And Anr. ...Respondents

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Mr. Prashant Pandey a/w D. Jain i/by W3Legal LPP, Advocate
for the Petitioner.

Mr. S. R. Agarkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 30th AUGUST, 2022

PC :

1. Not on board. Taken on board.
2. Learned advocate for the petitioner submits that the papers are produced in view of urgency.
3. The petitioner has been convicted for offence under Section 138 of Negotiable Instruments Act. Vide judgment and order dated 18.12.2021, he was sentenced to suffer simple imprisonment till rising of the court and to pay a fine amount of Rs. 11,03,473/-. The judgment of conviction has been challenged by petitioner by preferring appeal before the Court of Sessions at Mumbai. Alongwith the appeal, the petitioner has also preferred an application for condonation of delay and application for suspension of sentence and grant of bail. Notice was issued to the

respondent/complainant. However, from time to time, the matter is adjourned without granting interim protection. On 26.08.2022, the petitioner has requested the Court to grant interim relief since the conviction warrant is issued against him. The petitioner has also filed affidavit of service relating to notice given to respondent/complainant. However, matter is adjourned to 13.09.2022.

4. It is submitted that in the event the conviction warrant is executed against the petitioner, the applicants will have to suffer imprisonment and hence for limited period the sentence of imprisonment may be suspended.

5. In these circumstances, the conviction warrant, if any, issued against the appellant pursuant to the judgment of conviction imposed by vide judgment and order dated 18.12.2021 passed by 20th Court Metropolitan Magistrate, Mazgaon, Mumbai in CC No. 2001297/SC/2018 suspended till 27.09.2022.

6. The Sessions Court is requested to dispose of interim application within one week from 13.09.2022 as expeditiously as possible but before 27.09.2022.

7. Writ Petition stands disposed off.

(PRAKASH D. NAIK, J.)