

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL REVISION APPLICATION NO.222/2022

Vinod s/o Kisanji Kalewar
Vs.
Ravindra s/o Walimikrao Dongare

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Mahesh Rai, Advocate for applicant

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 15/09/2022

Issue notice to the respondent, returnable
within three weeks.

2. Call for the record and proceeding.

CRIMINAL APPLICATION (APPR) NO.312/2022

1. The present application is filed for suspension of execution of order and judgment dated 05/08/2022 passed by the learned Additional Sessions Judge, Warora in Criminal Appeal No.15/2007 and order and judgment passed by the learned Judicial Magistrate First Class, Warora dated 03/04/2017 passed in Summary Criminal Case No.706/2012 for the offence punishable under Section 138 of the Negotiable Instruments Act.

2. It is contended that the applicant is a retired person and there is no legal antecedents. He was throughout on bail during the trial and also during the period of appeal. His sentence was suspended by the learned Appellate Court. He also submitted that he

has deposited Rs.1,00,000/- (One Lakh only) before the learned Trial Court. The said amount is almost 25% of cheque amount. In view thereof, he seeks suspension of sentence.

3. In view of the facts above and as he was on bail throughout during the pendency of trial as well as appeal, there is no any instance of misuse of liberty granted by the learned Lower Court, it would be appropriate to suspend the execution of the order and judgment dated 05/08/2022 as well as 03/04/2017 passed by the learned Additional Sessions Judge, Warora and learned Judicial Magistrate First Class, Warora, respectively.

4. The applicant be released on bail on the same terms and conditions imposed by the learned Appellate Court while granting bail in appeal on his furnishing P.R. Bond of Rs.15,000/- with one solvent surety, to the satisfaction of the learned Lower Appellate Court.

5. The application stands disposed of.

JUDGE

R.S. Sahare