

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION NO.1430 OF 2022**

Rajesh Waman Ahirrao,
Age: Major, Occu. Business,
R/o. Bhadgaon Road, Behind Bhagyalaxmi
Saw Mill, At Takli Pra. Cha., Ozar,
Tq. Chalisgaon, Dist. Jalgaon. ..Applicant

Versus

1. Shri. Ganesh Bigarshsetinagari Sah.
Patsanstha Maryadit, Chalisgaon,
Ta: Chalisgaon, District Jalgaon.
2. The State of Maharashtra,
Through its Police Inspector,
Police Station. ..Respondents

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Mr. A. G. Choudhari, Advocate for the Applicant.

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CORAM : S. G. CHAPALGAONKAR, J.
DATE : 31st AUGUST, 2023.

PER COURT:-

1. The applicant has been convicted for the offences punishable under Section 138 of the Negotiable Instrument Act in S.C.C. No.668/2010.

2. The Appeal filed by the applicant bearing Criminal Appeal No.39/2016 came to be dismissed. The applicant is taken in custody on 24.08.2023. The applicant was on bail during the trial as well as appeal.

3. In that view of the matter, the case is made out for suspension of sentence, however subject to certain conditions. Hence, the following order:

ORDER

(i) Criminal Application is allowed.

(ii) Pending hearing and final disposal of the Revision Application the substantive sentence imposed against the applicant by order dated 04.02.2016 in R.C.C. No.668/2010 by Judicial Magistrate First Class, Chalisgaon is hereby suspended till further orders subject to following conditions:

a. The applicant/accused shall forthwith deposit sum of Rs.25,000/- with the Trial Court. On such deposit applicant, Rajesh Waman Ahirrao be released on bail on executing P.B. and S.B. of Rs.25,000/- (Rs.Twenty Five Thousand only) each.

b. The applicant shall thereafter deposit additional amount of Rs.25,000/- (Rs.Twenty Five Thousand only) within a period of eight weeks with Trial Court.

(ii) Criminal Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE