



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.4386 OF 2023
IN REVN/362/2023**

**RAHUL DNYANDEO SATPUTE
VERSUS
MOHAMMAD HUSEN KADARBHAI BAGWAN**

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Mrs. Sunita G. Sonawane, Advocate for the Applicant.
Mr. V. H. Rathod, Advocate for Respondent.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 07th DECEMBER, 2023.**

PER COURT:-

1. The learned Advocate appearing for the applicant would submit that the applicant was subjected to trial in Summary Criminal Case No.1460/2020 before Additional Chief Judicial Magistrate, Sangamner, Dist. Ahmednagar for offence punishable under Section 138 of the Negotiable Instrument Act. On conclusion of trial, the applicant has been convicted and sentenced to suffer imprisonment for six months and directed to pay the compensation of Rs.1,70,000/- under Section 357(3) of the Criminal Procedure Code. She would submit that being aggrieved the applicant had filed Criminal Appeal No.31/2022 before the Additional Sessions Judge, Sangamner, Dist. Ahmendagar. However, appeal came to be dismissed confirming the order of conviction and sentence. She would submit that during the pendency of the appeal 20% of the compensation amount was deposited. She would further submit that after dismissal of the appeal, parties have amicably settled the dispute and some amount is parted to the complainant in cash.

2. The learned Advocate appearing for the complainant confirms that there is settlement and parties are likely to place on record the terms of such settlement within a period of two weeks.

3. Considering the submissions advanced and fact that the applicant was on bail during the trial as well as appeal and he has not misused the liberty, case is made out for grant of bail till further orders. Hence, the following order:

ORDER

- (i) The Criminal Application is allowed.
- (ii) Pending hearing and final disposal of the Revision Application, the substantive sentence imposed by the Additional Chief Judicial Magistrate, Sangamner, Dist. Ahmednagar in Summary Criminal Case No.1460/2020 dated 10.06.2022 and confirmed by the learned Additional Sessions Judge, Sangamner, Dist. Ahmednagar in Criminal Appeal No.31/2022 dated 02.12.2023 is hereby suspended till further orders.
- (iii) Meanwhile, the applicants, Rahul Dnyandeo Satpute be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rs.Fifty Thousand only) each with one solvent surety of the like amount.
- (iv) Bail before the Trial Court.
- (v) The Criminal Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE