

Andreza

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL REVISION APPLICATION NO. 677 OF 2023 (F)
WITH
CRIMINAL MISC. APPLICATION NO. 675 OF 2023 (F)

Sudin Maruti Vinsulkar

... Applicant

Versus

The Shiroda Urban Coop Society Ltd. Rep. By ... Respondents
Asst. Branch Manager Mahesh Naik & anr.

Mr. A. D. Bhohe, Advocate with *Ms. Shaizeen Shaikh,*
Advocate for the Applicant.

Ms. S. Kakodkar Advocate for the Respondent no. 1.

Mr. Somnath Karpe, Additional Public Prosecutor for
Respondent no.2-State.

CORAM: PRAKASH D. NAIK, J
DATED: 12th SEPTEMBER 2023

P. C.

1. The Applicant has been convicted for offence punishable under Section 138 of the Negotiable Instruments Act, 1881, (N.I. Act) and sentenced to suffer simple imprisonment of six months and to pay compensation of Rs.5,50,000/- vide Judgment and Order dated 11.11.2022 passed by the learned JMFC, Ponda.

2. The Judgment of the Trial Court has been confirmed by the Appellate Court vide Judgment and Order dated 04.08.2023 and the Applicant has been directed to surrender. The trial Court is also directed to take steps to execute the sentence.

3. Learned Advocate for the Applicant submitted that the parties are exploring a settlement. The Applicant is making a payment of Rs.2 Lakhs to the Respondent no.1-Complainant now. It is further submitted that for the balance payment, the Complainant has agreed to grant two months time. The amount of Rs. 2 Lakhs is handed over to the Complainant.
4. Learned Counsel for the Respondent no.1 confirms the receipt of amount by Complainant and endeavour by parties to settle the matter.
5. To enable the parties to explore settlement, stand over to 06.11.2023.
6. Mr. S. Karpe, Additional Public Prosecutor, waives notice on behalf of Respondent no.2.
7. Considering the fact that the appellate Court has directed the Appellant to surrender and directions are also issued to the trial Court to execute the sentence, till the next date of hearing, interim relief can be granted to the Applicant.

ORDER

(i) The substantive sentence of imprisonment imposed by Judgment and Order dated 11.11.2020 passed by the learned JMFC, Ponda, and confirmed by Judgment and Order dated 04.08.2023 passed by the learned Additional Sessions Judge, Panaji, is suspended and the Applicant is directed to be released on bail on executing a PR bond of Rs.20,000/- with one or more surety in the like amount to the satisfaction of the trial Court.

(ii) This interim relief is granted till the next date of hearing.

PRAKASH D. NAIK, J