

Andreza

**IN THE HIGH COURT OF BOMBAY AT GOA**  
**CRIMINAL REVISION APPLICATION NO. 809 OF 2023 (F)**

|                           |               |
|---------------------------|---------------|
| Sanyas Chandrakant Shetye | ... Applicant |
| <i>Versus</i>             |               |
| Shambhaji Shiva Madholkar | ...Respondent |

**Mr. Arjun Naik, Advocate** with Ms. Sneha D. Shetye,  
*Advocate for the Applicant.*

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**CORAM: PRAKASH D. NAIK, J**  
**DATED: 2<sup>nd</sup> NOVEMBER, 2023**

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**P.C.**

1. The Applicant is convicted for an offence under Section 138 of the Negotiable Instruments Act, 1881, vide Judgment and Order dated 14.03.2022 and directed to undergo sentences till rising of the Court and pay compensation of Rs.1,62,000/- to the Complainant. The appeal preferred by the Applicant challenging the judgment of conviction, has been dismissed vide Judgment and Order dated 27.10.2023. The Applicant has been directed to appear before the trial Court within a period of eight days.

2. Learned Advocate for the Applicant submitted that during the pendency of the appeal, the Applicant has deposited an amount of Rs.30,400/- before the Appellate Court i.e. 20 percent of the compensation awarded by the trial Court. On instructions, it is submitted that the Applicant would deposit an amount of

Rs.50,000/- within six weeks from today in this Court. Statement is accepted as an undertaking to this Court.

3. Presently, the Applicant can be permitted to deposit the amount of Rs.50,000/- within a period of six weeks and appropriate directions could be issued with regard to the deposit of the balance amount on the next date of hearing.

4. Issue notice to the Respondent, returnable on 14.12.2023.

5. The substantive sentence imposed vide Judgment and Order dated 21.03.2022 passed by the learned J.M.F.C., Pernem, in Criminal Case no. OA/NIA/18/19 and confirmed by the Sessions Court in Criminal Appeal No. 22/2022 vide Judgment and Order dated 27.10.2023, is suspended. The Applicant is directed to be released upon executing PR bond in the sum of Rs.20,000/- with one surety in the like amount.

6. The Applicant shall deposit the amount of Rs.50,000/- before this Court within a period of six weeks from the date of uploading of this Order.

**PRAKASH D. NAIK, J**