

Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA

**CRIMINAL REVISION APPLICATION NO.824 OF 2023
(FILING)
WITH
CRIMINAL MISCELLANEOUS APPLICATION NO.825 OF
2023(FILING)
IN
CRIMINAL REVISION APPLICATION NO.824 OF 2023
(FILING)**

Shaine Alexius Fernandes

... Applicant

Versus

The Madgaum Urban Co-op Bank
Ltd. Through its Officer Kum Arya
Narvenkar & Anr.

... Respondents.

Mr Dhaval D. Zaveri, Advocate *with Mr S. Kamulkar,
Advocate for the Applicant.*

**Mr Somnath B. Karpe, Additional Public Prosecutor
for Respondent No.2**

**CORAM:
DATED:**

**PRAKASH D. NAIK, J
6th NOVEMBER 2023**

P.C.:

1. The revision applicant is convicted for offence under Section 138 of Negotiable Instruments Act vide judgment and order dated 12.04.2023 passed by learned JMFC, Panaji in Criminal Case No.OA/305/NIA/2018/C and sentenced to undergo simple imprisonment for a period of 15 days and directed to pay compensation of Rs.14,00,000/- and in default, to undergo sentence of simple imprisonment for a period of four months.

The applicant preferred an appeal before the Sessions Court which was dismissed vide judgment and order dated 04.09.2023 passed by the learned Sessions Judge in Criminal Appeal No.143/2023.

2. Learned advocate for the applicant submitted that the applicant has deposited an amount of Rs.2,50,000/- before the appellate Court. On instructions, it is submitted that the applicant would deposit further amount of Rs.2,50,000/- in this Court within one week. Considering the submission, at this stage, interim relief can be granted to the applicant subject to applicant depositing an amount of Rs.2,50,000/- in this Court within one week from today.

3. Issue notice to respondents, returnable on 14.12.2023. Learned Additional Public Prosecutor waives notice for respondent no.2. In the meantime, the sentence imposed vide judgment and order dated 12.04.2023 passed by the learned JMFC, 'C' Court at Panaji in Criminal Case No. OA/305/NIA/2018/C which is confirmed vide judgment and order dated 04.09.2023 in Criminal Appeal No.143/2023 by the learned Sessions Court, North Goa, Panaji, is suspended and the applicant is directed to be released on bail on executing PR bond of Rs.20,000/- with one surety in the like amount to the satisfaction of the trial Court. This protection is granted till the next date.

(PRAKASH D. NAIK, J.)