

Vinita

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL REVISION APPLICATION NO. 801 OF 2023-F
WITH
CRIMINAL MISC. APPLICATION NO.802 OF 2023-F
IN
CRIMINAL REVISION APPLICATION NO.801 OF 2023-F

MR. SHEKHAR VISHWANATH DHONDApplicant.
VS
DAYANAND URBAN CO-OPERATIVE
CREDIT SOCIETY LTD AND ANR.Respondents.

Mr. A. D. Bhobe and Ms. R. Prazeres, Advocate for the applicant.
Mr. G. Nagvenkar, Addl. Public Prosecutor for the respondent no. 2.

CORAM: PRAKASH D NAIK, J

DATED: 30th October 2023

P.C.:

1. Revision Applicant is convicted for the offence under Section 138 of the Negotiable Instruments Act 1881 vide judgment and order dated 11.11.2022 passed by the Judicial Magistrate, First Class “A” Court Ponda Goa in Criminal Case No.230/OA/NIA/2018/A. The applicant is sentenced to undergo simple imprisonment for a period of 15 days and to pay compensation of Rs.55,000/- to the complainant and in default to undergo simple imprisonment of two months. The applicant challenged the judgment and order of the trial Court before the Court of Additional Sessions Judge, Panaji Goa (sitting at Ponda) by preferring Criminal Appeal No.164/2022. Learned Sessions Judge(sitting at Ponda) vide judgment and order

dated 6.9.2023 dismissed the appeal.

2. Learned Advocate Mr. A. D. Bhohe submitted that applicant is a government servant. Applicant is taken in custody today. Applicant would deposit entire amount within stipulated time after he is released on bail.

3. Considering aforesaid circumstances, I pass following:-

ORDER

(i) Issue notice to the respondents returnable on 29.11.2023.

(ii) Learned Addl. Public Prosecutor waives notice on behalf of respondent no. 2.

(iii) Sentence of imprisonment imposed vide judgment and order dated 11.11.2022 passed by learned Judicial Magistrate, First Class "A" Court Ponda in Criminal Case No. 230/OA/NA/2018/A and confirmed by Additional Sessions Court (sitting at Ponda) vide judgment and order dated 6.9.2023 passed in Criminal Appeal No.164/2022 is suspended and the applicant is directed to be released on bail on executing PR bond in sum of Rs.20,000/- with one surety in like amount to the satisfaction of the trial Court.

(iii) Applicant shall deposit an amount of Rs.55,000/- in this Court before the next date of hearing.

- (iv) This interim protection is granted till next date of hearing.

PRAKASH D NAIK, J.