

GRM

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL INTERIM APPLICATION NO. 641 OF 2020
IN
CRIMINAL REVISION APPLICATION NO. 103 OF 2020
WITH
CRIMINAL INTERIM APPLICATION NO. 642 OF 2020
IN
CRIMINAL REVISION APPLICATION NO. 104 OF 2020**

Sanvi Traders through Prop. Shri. Vikas

Shashikant Vasav

... Applicant

V/s.

Dattaram Cashew Factory through Prop.

Sou. Urmila Budhaji Yeram & Anr.

... Respondents

Mr. Shashank Shubham h/f Mr. Sameer S. Kadam, Adv. for the Applicant.

Mr. Vikas Shivarkar i/b Milind Parab & Assoc., Adv. for Respondent Nos. 1 to 3.

Mr. A. R. Patil, APP for the State/Respondent.

CORAM : R. G. AVACHAT, J.

DATED : FEBRUARY 28, 2023

P.C. :

Heard.

2. Learned Advocate for the applicant submits that the applicant has been convicted for the offence punishable under Section 138 of Negotiable Instruments Act, 1881 and sentenced to suffer imprisonment for certain term with direction to pay compensation of Rs. 27,50,000/-. The applicant has been unsuccessful in his appeal against conviction.

3. It is informed that a sum of Rs. 3,00,000/- has been deposited in the Trial Court. It is further informed that the applicant has filed an affidavit undertaking to clear the remaining amount in 98 installments, each monthly installment of Rs. 25,000/-. The applicant has so far then regular in making payment by installments. So far he has paid little over 20 installments. It is further informed that this Court has not so far suspended execution of substantive sentence of imprisonment. The applicant, however, not in jail.

4. In view of the undertaking given by the applicant along with an affidavit, he be released on his executing PR Bond of Rs. 15,000/- (Rupees Fifteen Thousand Only) and Surety Bond in the like amount. Bail before the Trial Court.

5. In case of a single default of repayment of the amount of installment, the order granting suspension of sentence to stand vacated without reference to this Court.

6. Criminal Interim Application Nos. 641/2020 & 642/2020 stand disposed of accordingly.

(R. G. AVACHAT, J.)