

GRM

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

CRIMINAL INTERIM APPLICATION NO. 143 OF 2023

IN

CRIMINAL REVISION APPLICATION NO. 18 OF 2023

Ganraj Suresh Kedari

... Applicant

V/s.

Bank of India & Anr.

... Respondents

Mr. Rakesh Bhatkar a/w Mohan Devkule, Adv. for the Applicant.

Mr. Rakesh R. Bhatkar a/w Mr. Mohan N. Devkule a/w Mr. Mohit Dalvi, Adv. for Respondent No. 1.

Mr. Arfan Sait, APP for the State/Respondent No. 2.

CORAM : R. G. AVACHAT, J.

DATED : JANUARY 12, 2023

P.C. :

1. Heard.

2. The challenge herein is to the order of conviction and consequential sentence passed by the learned Trial Court against the applicant herein, in a proceeding under Section 138 of the Negotiable Instruments Act, 1881. The said order has been confirmed by the Appellate Court.

3. The applicant has been sentenced to suffer simple imprisonment for the period of 6 months and to pay a sum of Rs. 2,50,000/- towards compensation to the complainant. He is reported to be behind the bars. It is informed that the applicant has paid Rs. 25,000/- in the Appellate Court at the time of hearing

of the appeal. The said amount is still in the Appellate Court. The applicant is ready to deposit entire balance amount of Rs. 2,25,000/-.

4. The applicant is directed to deposit entire balance amount of Rs. 2,25,000/- within five weeks. Half of the said amount will be deposited in three weeks. Therefore, on the condition of depositing that much amount within a time-frame, the execution of substantive sentence of imprisonment to stand suspended.

5. Pending the present revision application, the applicant be released on his executing PR Bond of Rs. 15,000/- (Rupees Fifteen Thousand Only) and Surety Bond in the like amount. If the direction to deposit the balance amount of Rs. 2,25,000/- is not complied with by the applicant within a time-frame, the order granting bail to stand automatically cancelled without reference to this Court.

6. Interim application stands disposed of.

7. Issue notice, returnable after five weeks.

8. Stand Over to **16th February, 2023.**

(R. G. AVACHAT, J.)