

GRM

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

CRIMINAL INTERIM APPLICATION NO. 298 OF 2023

IN

CRIMINAL REVISION APPLICATION NO. 31 OF 2023

Mr. Sainath Bhanudas Rothe

... Applicant

V/s.

The Janata Sahakari Bank Ltd. Yeola &

Anr.

... Respondents

Mr. Dhananjay Bhosale i/b Mr. Narayan Gopinath Rokade, Adv. for the Applicant.

Mr. Arfan Sait, APP for the State/Respondent.

CORAM : R. G. AVACHAT, J.

DATED : JANUARY 24, 2023

P.C. :

Heard.

2. The applicant has been convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and therefore, sentenced to suffer simple imprisonment for one month and to pay a sum of Rs. 1,54,000/- towards compensation/fine with simple interest @ 9% p.a. thereon from the date of cheque to the date of actual recovery of entire amount. In default to suffer simple imprisonment for further fifteen days. As such, the total amount goes to little over Rs. 3,06,460/-.

3. The applicant is in jail.

4. Learned Advocate for the applicant comes around to deposit a sum of Rs. 3,06,460/- within a period of four weeks. In view of the same, execution of substantive sentence of imprisonment of the applicant to stand suspended.
5. Pending admission of the 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.
6. Out of said amount of Rs. 3,06,460/-, the applicant shall deposit a sum of Rs. 1,00,000/- within two weeks from the date of this order in Trial Court and the balance amount within three weeks thereafter. In case of default by the applicant in payment of the said amount within a time frame, the order granting him bail to stand cancelled without reference to this Court.
7. Criminal Interim Application No. 398/2023 stands disposed of.
8. Stand Over to **7th February, 2023** for compliance.

(R. G. AVACHAT, J.)