

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

**INTERIM APPLICATION NO.2381 OF 2023
IN
CRIMINAL REVISION APPLICATION [STAMP] NO.11808 OF 2023**

Ravindra S. KangutkarApplicant
Versus
State of Maharashtra
and another Respondents

Mr. Vinayak Patil, Advocate for the Applicant.
Ms. M.R. Tidke, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 10th JULY, 2023

P.C. :

1. At the outset, learned counsel for the Applicant states that the Respondent No.2 the State Bank of Patiala has now merged with the State Bank of India. He seeks leave to add the State Bank of India as the contesting party Respondent in this Interim Application as well as in the connected Interim Application and the main Revision Application. Leave for that purpose is granted. Amendment shall be carried out forthwith. Leave is also sought to amend the prayer clause to mention the exact delay in filing

Revision Application. Leave for that purpose is also granted.

That amendment shall also be carried out forthwith.

2. Heard Shri Vinayak Patil, learned counsel for the Applicant and Ms. M.R. Tidke, learned APP for the Respondent-State.

3. The Applicant was convicted for commission of the offence punishable under Section 138 of the Negotiable Instruments Act by the Metropolitan Magistrate, 58th Court, Bandra, Mumbai vide his judgment and order dated 31.1.2011 passed in Case No.624/SS/2008. The Applicant was sentenced to suffer SI for three months and to pay Rs.2,50,000/-, by way of compensation under Section 357(3) of Cr.PC., to the complainant and in default to suffer SI for four months. The Applicant challenged that order by way of Criminal Appeal No.154/2011 before the Court of Sessions at Mumbai. Learned Additional Sessions Judge, Greater Mumbai vide his order dated 27.1.2020 dismissed that Appeal.

4. Learned counsel for the Applicant submitted that because of spread of COVID Pandemic, the Applicant could not engage an Advocate immediately to file this Revision Application. Learned counsel submitted that in the interest of justice the delay be condoned. He further stated, on instructions, that the Applicant is ready and willing to deposit the entire amount of compensation before the trial Court within a reasonable period. The statement is recorded and accepted. Based on these submissions, the delay in preferring Criminal Revision Application is condoned. The Revision Application be processed further.

5. Interim Application is disposed of accordingly.

(SARANG V. KOTWAL, J.)