

GRM

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

CRIMINAL REVISION APPLICATION NO. 545 OF 2022

Phiroz Ahammed S/o. Abdul Latheif ... Applicant

V/s.

Sayed Salman Sattar S/o. Karkal Sayed
Abdul Sattar & Anr. ... Respondents

WITH

CRIMINAL INTERIM APPLICATION NO. 4670 OF 2022

IN

CRIMINAL REVISION APPLICATION NO. 545 OF 2022

Phiroz Ahammed S/o. Abdul Latheif ... Applicant

V/s.

Sayed Salman Sattar S/o. Karkal Sayed
Abdul Sattar & Anr. ... Respondents

WITH

CRIMINAL INTERIM APPLICATION NO. 4669 OF 2022

IN

CRIMINAL REVISION APPLICATION NO. 545 OF 2022

Phiroz Ahammed S/o. Abdul Latheif ... Applicant

V/s.

Sayed Salman Sattar S/o. Karkal Sayed
Abdul Sattar & Anr. ... Respondents

Mr. Yashpal Thakur i/b. Mr. Mukund Pandya, Adv. for the Applicant.

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

CORAM : R. G. AVACHAT, J.

DATED : JANUARY 3, 2023

P.C. :

1. Heard.

2. The applicant has been convicted for the offence punishable under Section 138 of Negotiable Instruments Act, 1881 and therefore, he is sentenced to suffer simple imprisonment for six months and to pay fine of Rs. 10 lakhs and to pay interest on the said amount at fixed rate of 9% p.a. from the date of cheque till realization of the amount and in default, he is sentenced to suffer simple imprisonment for three months.

3. The order of conviction passed by the Trial Court has been confirmed in appeal. The applicant is therefore in revision before this Court. The applicant is ready to deposit a sum of Rs. 5 lakhs in this case within a period of two weeks and propose to give a schedule of further payment, on affidavit, once he is released on bail. The learned Advocate for applicant makes a submission that the balance amount would be deposited within not more than a period of three months thereafter.

4. Issue Notice before admission, returnable after three weeks.

5. Pending the present revision, the applicant be released on his executing PR Bond of Rs. 15,000/- (Rupees Fifteen Thousand Only) and Surety Bond in the like amount. The order granting him bail would come in operation once the applicant deposits a sum of Rs. 5 lakhs in the Trial Court.

6. Criminal Interim Application Nos. 4669/2022 & 4670/2022 stand disposed of.

7. Stand over to 24th January, 2023.

(R. G. AVACHAT, J.)