

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

**INTERIM APPLICATION NO. 2807 OF 2024
IN
CRIMINAL REVISION APPLICATION NO. 372 OF 2024
[NOT ON BOARD, TAKEN ON BOARD]**

**KANCHAN
PRASHANT
DHURI**

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KANCHAN
PRASHANT DHURI
Date: 2024.07.22
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Vinayak Shankar Todkar

...Applicant

vs.

Prabhakar Naiku Kunjire and another

...Respondents

Mr. Makarand Kale :-	Advocate for Applicant.
Mr. Abhay Jadhavar :-	Advocate for Respondent No.1.
Mr. A.D. Kamkhedkar :-	APP for the Respondent No.2-State.

CORAM : S. M. MODAK, J.

DATE : 22nd JULY 2024

P.C. :-

1. Heard learned Advocate for the Applicant/convicted Accused and learned Advocate for the Respondent No.1-Complainant.
2. This Application is for suspension of sentence. The Applicant is in custody since 5th July 2024. Respondent No.1/Complainant appeared on his own and filed Vakalatnama as well as Affidavit on

Friday. It has not yet shared because office has not processed it. Let the Complainant's Advocate to do the follow-up.

3. A copy of the Affidavit is taken on record and marked as Annexure 'X'. It is mentioned in the Affidavit that Rs.1,00,000/- is received as full and final settlement. He consented for suspension of sentence. It is claimed by Mr.Kale that in fact, Rs.25,000/- is also deposited before the Appellate Court and payment of cash of Rs.1,00,000/- is apart from that amount. Let the Applicant be released from jail. Hence, the order:

ORDER

- (i) The substantive sentence of imprisonment for the offence under Section 138 of Negotiable Instruments Act imposed by the Judicial Magistrate First Class – Miraj dated 24th April 2019 in Summary Criminal Case No.178 of 2016 and confirmed by the Additional Sessions Judge – Sangli vide order dated 5th July 2024 in Criminal Appeal No.93 of 2019 is suspended.
- (ii) Applicant – Vinayak Shankar Todkar be released during pendency of the Revision on furnishing personal bond and surety bond of Rs.15,000/- (Rupees Fifteen Thousand Only) before the trial Magistrate, within a period of two (2) weeks from today.

- (iii) Interim Application is disposed of.
- (iv) Parties to act on authenticated copy of this order.

CRIMINAL REVISION APPLICATION NO. 372 OF 2024

- 4. Issue notice before admission. Learned Advocate for Respondent No.1 waives notice.
- 5. Let the Copy of the Application be served to him.
- 6. Stand over to 2nd September 2024 for 'settlement'.

[S. M. MODAK, J.]