

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

**INTERIM APPLICATION NO. 3848 OF 2023
ALONGWITH
INTERIM APPLICATION NO. 3849 OF 2023
IN
REVISION APPLICATION NO. 339 OF 2023**

Vijay Bhalchandra Joshi

...Applicant

vs.

The State of Maharashtra

...Respondent

Mr. Sarthak Solaskar	Advocate for the Applicant
Mr. A. D. Kamkhedkar	APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 24th APRIL 2024

P. C. :-

1. Heard learned Advocate for the Applicant-accused.
2. It is true that as per Order dated 23/10/2023, this Court has granted interim relief about suspension of the substantive sentence till 24/01/2024. There was a condition to deposit Rs. 1,00,000/- within six weeks. As Applicant could not deposit that amount, he was sent to jail in execution of the conviction warrant.
3. Interim Application Nos. 3848 of 2023 and 3489 of 2023 were filed for suspension of the sentence and for release on bail till disposal of the revision.

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4. Now as the Applicant is permitted to deposit Rs. 1,00,000/- before the trial Court, the Applicant needs to be released from Jail after furnishing the bail and personal bond. There is fresh interim application which is e-filed. There is a prayer for grant of bail. However it is not numbered and that is why today it is not on board. However already there is a prayer for bail and I am not doubting about the submission that the Applicant is sent to the jail for execution of this sentence. I am considering that prayer also.

5. In view of that following order is passed :-

ORDER

(i) Subject to the deposit of Rs. 1,00,000/- before the trial Court, the Applicant be released on furnishing personal bond and surety bond of Rs. 15,000/- before the trial Court.

(ii) Substantive sentence of imprisonment for the offence punishable under Section 138 of the Negotiable Instruments Act in CC No. 5600870/SS/2017 stands suspended till disposal of the revision application.

6. Hence both interim applications are disposed of.

[S. M. MODAK, J.]