

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

**CRIMINAL REVISION APPLICATION NO.368 OF 2024
WITH
INTERIM APPLICATION NO.2702 OF 2024**

SATISH
RAMCHANDRA
SANGAR

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SATISH RAMCHANDRA
SANGAR
Date: 2024.07.20
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Vikas Shantilal Deshmukh
Age : 49 Years, Occu. : Business,
Residing at : Sadguru Housing Society
Manmad, Taluka : Nandgaon,
District : Nashik. ...Applicant

Versus

1. Ganesh Shantilal Deshmukh
Age : 51 Years, Occu. : Business,
Residing at : Anand Vihar, in front
of LIC Office, Taluka : Nandgaon,
District : Nashik – 423 014.
2. State of Maharashtra ...Respondents

Mr.Ajit Dilip Hon:-	Advocate for Applicant.
Ms.Sangita E. Phad:-	APP for Respondent No.2 – State.

CORAM : S. M. MODAK, J.
DATE : 15th JULY 2024

P. C. :-

CRIMINAL REVISION APPLICATION NO. 368 OF 2024

1. Heard learned Advocate for the Applicant – convicted Accused.

2. He is convicted by the Court of JMFC – Manmad City as per the order dated 7th August 2018. The sentence is as follows:-

(a) To pay fine of Rs.3,44,111/- (Rupees Three Lakh Forty Four Thousand Eleven Hundred Eleven Only) and to undergo the sentence of one (1) month.

(c) In case of failure to pay compensation, to undergo additional sentence of one (1) month.

3. His Appeal was dismissed. He was taken into custody immediately on 8th July 2024.

4. The Applicant is disputing the liability. He is disputing the liability on the basis of cheque. It was towards the repayment of loan amount. The loan was obtained by mortgaging a house and the house had come to the share of the Complainant as per the '*family arrangement*'. Second contention is, this cheque was a blank cheque and it was issued towards the maintenance of the mother. It was misused by the Complainant. Both are the brothers.

5. His contentions can be heard when the Revision will be argued at the time of Admission.

6. Let issue notice before Admission to Respondent No.1 returnable on **10th September 2024**. Private notice, in addition, is allowed. Affidavit of service be filed.

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7. The amount of Rs.68,822/- (Rupees Sixty Eight Thousand Eight Hundred Twenty Two Only) is deposited before the Nashik Court. Copy of receipt is shown to me. Hence, following order:-

ORDER

(A) The default sentence be suspended during the hearing of the Revision on following conditions:-

(i) To deposit Rs.50,000/- (Rupees Fifty Thousand Only) before the trial Court within four (4) weeks from today.

(ii) If it is not deposited, the suspension stands automatically recalled.

(B) If the bail is furnished, let Applicant - **Vikas Shantilal Deshmukh** be released on bail from jail, if not required in any other case, on furnishing personal bond and surety bond of Rs.15,000/- (Rupees Fifteen Thousand Only).

8. In view of the above, Interim Application is disposed of.

9. **Parties to act on an authenticated copy of this order.**

[S. M. MODAK, J.]