



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

**INTERIM APPLICATION NO. 2829 OF 2024
IN
REVISION APPLICATION NO. 253 OF 2024**

Vilas Bhimrao Phadtare

...Applicant

vs.

The State of Maharashtra and Anr.

...Respondents

Mr. Akshay R. Kapadia	Advocate for the Applicant
Mr. A. S. Gawai	APP for the Respondent-State
Mr. Shekhar Mane	Advocate for Respondent No. 2

CORAM : S. M. MODAK, J.

DATE : 31st JULY 2024

P. C. :-

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1. The Court of the Metropolitan Magistrate, 20th Court, Mazgaon, Mumbai has convicted the Applicant for an offence punishable under Section 138 of the Negotiable Instruments Act. The sentence was till rising of the Court and fine of Rs. 4,00,000/-. This fine amount is to be paid to the Complainant. An amount of Rs. 1,80,000/- is deposited before the trial Court.

2. Hence, the Order:-

ORDER

(a) In default sentence passed by Metropolitan Magistrate, 20th Court, Mazgaon, Mumbai in CC No. 71/SS/2018 is suspended on following condition:-

- (i) On furnishing Personal Bond and Surety Bond amounting to Rs. 15,000/- before the trial Magistrate within four weeks.
- (ii) On depositing an amount of Rs. 40,000/- before the trial Magistrate within four weeks.

3. Accordingly, Interim Application No. 2829 of 2024 is disposed of.

4. Parties may avail possibility of the settlement.

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5. Heard learned Advocate for the Applicant-convicted accused and learned Advocate for Respondent No. 2.

6. Two weeks time is granted to file Vakalatnama to learned Advocate for Respondent No. 2. He waives notice of the revision application. Copies be served on him.

7. So revision application be kept on 11th September 2024 for admission.

[S. M. MODAK, J.]