



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
: NAGPUR BENCH : NAGPUR.

CRIMINAL REVISION APPLICATION NO. 127 OF 2024

AJAY S/o MAHESHKUMAR DIXIT

VERSUS

ASHOK S/o HIRALAL BAISWARE

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Tejas Deshpande, Advocate for the applicant.

CORAM : G. A. SANAP, J.

DATE : AUGUST 13, 2024.

1. Heard Mr. Tejas Deshpande, learned advocate for the applicant.
2. Issue notice to the non-applicant, returnable within four weeks.

Criminal Application (APPR) No. 166 of 2024

1. Heard Mr. Tejas Deshpande, learned advocate for the applicant.
2. This is an application for suspension of substantive sentence and for grant of bail.
3. In the main revision application, notice has been issued to the non-applicant. Considering the grounds of challenge, the revision application is required to be decided on merits.
4. The applicant is in jail since 05.8.2024. The application filed by the applicant for condonation of delay in filing appeal before the Sessions Court against his

conviction and sentence for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, has been rejected by the learned Additional Sessions Judge, Court No.2, Hinganghat. The substantive sentence awarded by the learned Judicial Magistrate, First Class, Court No.3, Hinganghat is to suffer simple imprisonment for 11 months. In my view, considering the grounds of challenge to the impugned order, it would be appropriate to suspend the substantive sentence.

5. Accordingly, the application is allowed.

6. The substantive sentence awarded by the learned Judicial Magistrate, First Class, Court No.3, Hinganghat vide order dated 15.03.2024 in Summary Criminal Case No. 17/2020, shall remain suspended during pendency of the revision application.

7. Applicant – Ajay S/o Maheshkumar Dixit be released on bail on his furnishing PR bond in the sum of Rs.15,000/- (Rupees Fifteen thousand only) with one surety in the like amount.

8. The application stands disposed of.

(G. A. SANAP, J.)