



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 140 OF 2025

RUPESH S/O. SHANTARAM PATIL
VERSUS
DILIP S/O. KHANDU SURYAWANSHI AND ANOTHER

...
Mr. Pradip N. Sonpethkar – Advocate for Petitioner
Mr. S.M. Ghanachari – APP for Respondent No.2, State
...

CORAM : SACHIN S. DESHMUKH, J.
DATE : 30.09.2025

ORDER :

1. The petitioner, who is convicted in a proceeding under Section 138 of the Negotiable Instruments Act, has challenged the conviction by filing appeal before the learned Additional Sessions Judge, wherein the petitioner sought suspension of the sentence imposed by the learned Judicial Magistrate. While considering the request, the Appellate Court directed the petitioner to deposit 30% of the amount. Aggrieved by the same, the petitioner approached this Court. While issuing notice, this Court directed the petitioner to deposit an amount of Rs.1,00,000/- (rupees One Lakh only) before the Appellate Court. It is informed by the learned Counsel for the petitioner that the said amount has been duly deposited.

2. In the wake of the deposit of the aforesaid amount, the

requirement under Section 148 of the Negotiable Instruments Act stands satisfied.

3. In light of the above, the petition is disposed of with liberty to the complainant to move an appropriate application for withdrawal of the deposited amount, which may be considered by the concerned Court on its own merits

4. The Writ Petition is disposed of with aforesaid directions.

5. No order as to costs.

[SACHIN S. DESHMUKH]
JUDGE

Pooja Kale/