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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.606 OF 2025 IN REVN/54/2025

Gangadhar Sandipan Kshirsagar,
Age: 49 years, Occu.Latour,
R/o. Warud, Tq. Bhoom,
Dist. Dharashiv.

... Applicants

Versus

1. The State of Maharashtra

2. Vijay Rajaram Jagdale,
Age: 56 years, Occu.: Agri.,
R/o. Paranda, Tq. Paranda
Dist. Dharashiv.

... Respondents

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Mr. G.J. Kore, Advocate for Applicant
Mr. N.D. Batule, APP for Respondent No.1 – State

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 14 FEBRUARY 2025

PER COURT :-

1. Not on board. Taken on board.
2. This is an application for suspension of sentence and grant of bail on account of conviction recorded by learned Judicial Magistrate First Class, Paranda in SCC No.428 of 2018 for commission of offence under Section 138 of the Negotiable Instruments Act (N.I. Act) and confirmed by learned Additional Sessions Judge, Paranda in Criminal Appeal No.3 of 2024 by order dated 11.02.2025.

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2. Learned Counsel for the applicant pointed out that applicant was tried for offence under Section 138 of the Negotiable Instruments Act. He further pointed out that learned trial Court held applicant guilty for the said offence and sentenced him to suffer simple imprisonment for one year and to pay compensation. That, during the trial, the applicant was on bail. That, the appeal preferred against the said judgment before the learned Additional Sessions Judge, Paranda is dismissed, hence, the revision application is preferred, which is numbered as Criminal Revision No.54 of 2025. According to him, there are no immediate prospects of hearing of the revision application. Therefore, learned counsel prays for suspension of sentence and grant of bail during pendency of revision application.

3. Notice is yet to be issued in the present matter. However, after considering the above submission and considering nature of proceedings, and quantum of sentence, and applicant is behind bars since 11.02.2025 and revision being preferred in 2024, there are immediate prospects of hearing of the revision, relief as prayed deserves to be granted.

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ORDER

- (i) Criminal Application No.606 of 2025 is allowed.
- (ii) The substantive sentence imposed on the applicant Gangadhar Sandipan Kshirsagar by the learned Judicial Magistrate First Class, Paranda in SCC No.428 of 2018 on 05.01.2024 and confirmed by learned Additional Sessions Judge, Paranda on 11.02.2025, stands suspended till final hearing and disposal of Criminal Revision Application No.54 of 2025.
- (iii) The applicant Gangadhar Sandipan Kshirsagar be released on P.R. Bond of Rs.15,000/- (Rs. Fifteen thousand only) with one solvent surety in the like amount.
- (iv) Bail before the trial Court.
- (v) Parties to act on authenticated copy of the present order.

**ABHAY S. WAGHWASE,
JUDGE**