



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

**CRIMINAL APPLICATION NO. 3950 OF 2025
IN
CRIMINAL REVISION APPLICATION NO. 328 OF 2025**

Pundlik Haribhau Sonawane

..APPLICANT

VERSUS

Babasaheb Runjaji Kamble

..RESPONDENT

....
Mr. S.M. Nannaware, Advocate for the applicant
Mr. Arun Shejwal, Advocate for the respondent
....

**CORAM : ABHAY J. MANTRI, J.
DATE : 15th OCTOBER, 2025**

PER COURT :

1. The applicant / accused has filed this application to suspend the substantive sentence awarded by learned 10th Additional Chief Judicial Magistrate, Aurangabad vide judgment and order dated 28th July, 2023 in S.C.C. No. 6448 of 2019 thereby convicted him for the offence punishable under Section 138 of the Negotiable Instruments Act and sentenced to suffer simple imprisonment for one month and to pay compensation of Rs. 6,25,000/- to the respondent/complainant and confirmation of the said order and issuance of the conviction warrant against him by learned Additional Sessions Judge, Aurangabad vide judgment and order dated 23rd September, 2025 in Criminal Appeal No. 170 of 2023, and release him on bail.

2. Heard learned counsel for the applicant and the respondent and perused the impugned judgments and the record.

3. At the outset, it appears that during the trial, the applicant was on bail, and after the passing of the conviction order, the appellate Court released him on bail. It further appears that after confirmation of the judgment and order of the trial Court, the applicant did not file any application to release him on bail nor surrender himself before the appellate Court; therefore, a conviction warrant was issued against him by order dated 23rd September, 2025. The conduct of the applicant did not appear to indicate that he wanted to comply with the court order, nor did he appear before the court to surrender himself or obtain bail.

4. Considering the said fact and the nature of the offence, in my view, it would be appropriate to suspend the sentence awarded by learned A.C.J.M., confirmed by the Additional Sessions Judge, and release him on bail.

5. As a result, the substantive sentence of imprisonment awarded against the applicant by learned trial and appellate courts stands suspended subject to the applicant depositing 50% of the compensation amount (including amount already deposited) in this Court on or before 10th November, 2025, failing which a necessary order will be passed. The applicant be released on bail on furnishing P.B. and S.B. of Rs. 1,00,000/- (Rupees One Lakh) with one or two sureties in the like amount by 10th

November, 2025, failing which a necessary order will be passed. Criminal application stands disposed of.

(ABHAY J. MANTRI, J.)

SSD