

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

Criminal Writ Petition No. 517 of 2025

With

Criminal Writ Petition No.520 of 2025

With

Criminal Writ Petition No.519 of 2025

With

Criminal Writ Petition No.518 of 2025

Sanjay Kishin Shahani

... Petitioner.

V/s.

Satbir S. Narang and others

... Respondents.

With

Criminal Writ Petition No. 6183 of 2024

With

Criminal Writ Petition No. 6184 of 2024

With

Criminal Writ Petition No.6185 of 2024

With

Criminal Writ Petition No. 84 of 2025

Satbir S. Narang & anr.

... Petitioners.

V/s.

Sanjay Kishin Shahani and anr.

... Respondents.

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Mr. R.S. Vidyarthi a/w. Mr. Mohit Turakhia i/b. Saumen S. Vidyarthi	Advocate for the Petitioners in WP 6183, 6184,6185 of 2024 and 84/25.
Mr. Sanjay Bhojwani a/w. Mr. Naresh Parihar	Advocate for the Petitioner in WP No.517, 518,519,520 of 2025 for Respondent in WP 6183, 6184,6185 of 2024 and 84/25.
Ms. R.S. Tendulkar	APP for the State.

CORAM : S.M. MODAK, J

DATE : 7th July 2025.

P.C. :

Heard learned Advocate for the Petitioner/convicted accused and learned Advocate for the Respondent-Complainant.

2. Both the accused were convicted by the Court of JMFC, Cantonment Court, Pune for the offence punishable under Section 138 of the Negotiable Instrument Act. When this order was challenged before the Sessions Court, there was a direction to deposit 20% of the the amount of compensation. Both the parties are aggrieved by the said order. The Petitioner-accused contend that the trial Court has not appreciated the evidence adduced and in fact this is an exceptional case wherein 20% should not be imposed. Whereas according to learned Advocate for the Respondent-Complainant, in fact the facts and circumstances including the conduct of the accused warrants imposition of compensation more than 20%.

3. All the petitions need to be heard simultaneously. Be that as it may, the amount of total cheques comes to Rs.64 lacs. Even if it is presumed that Rs.59 lacs is paid, still the accused has to pay Rs.5 lacs whereas according to Mr. Bhojwani even at this stage the amount should be much more than 5 lacs.

4. It is true that petitions of both the accused need to be heard

together. I am inclined to direct the Petitioner-Accused to deposit at least Rs.5 lacs. This will be without prejudice to rights and contentions of the Complainant. This amount is arrived at without expressing any opinion on merits. In view of that following directions are issued:

ORDER

- (i) Let both the accused Satbir Narang and Jagjit Narang to deposit amount of Rs.5 lacs before the Court of JMFC, Cantonment Court, Pune within a period of 4 weeks from today, jointly and severally
- (ii) Stand over to **4th August 2025** for compliance.
- (iii) Interim-relief granted earlier to continue till next date.

(S.M. MODAK, J.)