

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

Criminal Writ Petition No.3873 of 2025

Aadil Ibrahim Mhaskar

... Petitioner.

V/s.

Sikandar Sharad Chavekar and anr.

... Respondents.

Mr. M.A. Patil a/w. Jaydeep Shringare and Vijay Garad	Advocate for the Petitioner.
Mr.H.J. Dedhia	APP for the State.

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CORAM : S.M. MODAK, J

DATE : 23rd July 2025.

P.C. :

Heard learned Advocate for the Petitioner/convicted accused.

2. The conviction is for an offence under Section 138 of the Negotiable Instrument Act by the Court of JMFC, Ratnagiri. The sentence is simple imprisonment for one month and compensation of Rs.60,000/- and simple imprisonment for one month if the compensation is not paid.

3. The Petitioner was desirous of preferring an appeal. However, there is a delay. The learned Additional Sessions Judge, Ratnagiri has refused to condone the delay as per the order dated 8th July 2025 which is under challenge.

4. Issue notice to Respondent No.1, returnable on **3rd September 2025**. Private notice is allowed. Service affidavit be filed.

5. It is true the learned Magistrate while sentencing him directed to issue arrest warrant. The Petitioner apprehends that he will be sent to jail. The stay has to be conditional. The learned Sessions Judge has also referred about the another conviction of this Petitioner. In view of that following order is passed:

ORDER

The execution of the sentence as per the order passed by the Court of JMFC, Ratnagiri is stayed till next date subject to deposit of Rs.30,000/- before the Court of JMFC, Ratnagiri within four weeks.

(S.M. MODAK, J.)