

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 6516 OF 2025
AND
CRIMINAL WRIT PETITION (ST) NO. 23739 OF 2025
AND
CRIMINAL WRIT PETITION (ST) NO. 23773 OF 2025
AND
CRIMINAL WRIT PETITION (ST) NO. 23774 OF 2025

Satbir S Narang And Anr ...Petitioners

Versus

Sanjay Kishin Shahani And Anr ...Respondents

Mr. Rushabh Vidyarthi, a/w Harshavardhan Khameta and
Deep Shah, for the Petitioner in all WP.

Mr. Sanjay Bhojwani, a/w Mainak Adhikary, for the
Respondent No.1 in all WP.

Smt. R. S. Tendulkar, APP for the State – Respondent No.2 in
all WP.

CORAM: N. J. JAMADAR, J.

DATED: 8th DECEMBER, 2025

Oral Order:-

1. Cri.WP(ST)/23739/2025, Cri.WP(ST)/23773/2025 and
Cri.WP(ST)/23774/2025 are not on board. Taken on production
board.

2. Heard the learned Counsel for the parties.

3. As a common question arises for determination in these
petitions, all the petitions are taken up for hearing together.

4. By an order dated 4th August, 2025, this Court has quashed and set aside an order dated 29th November, 2025, passed by the learned Additional Sessions Judge in Criminal Appeal Nos.64/2024, 65/2024, 62/2024 and 63/2024 and remanded the applications for awarding the compensation under Section 148 of the Negotiable Instruments Act, 1881, to the Appellate Court for a fresh decision. The petitioners were directed to deposit a sum of Rs.10,00,000/- before the Court of Magistrate to show their *bona fide*.

5. Post remand, by the impugned order, the learned Additional Sessions Judge has directed the petitioners to deposit 20% of the amount of compensation awarded by the learned Magistrate as a condition for suspension of sentence imposed by the Magistrate.

6. Mr. Vidyarthi, the learned Counsel for the petitioners, submitted that, the learned Additional Sessions Judge did not consider the exceptional case that was made out by the petitioners, in view of the payment of a sum of Rs.58,00,000/- by the petitioners; a reference to which was made in reply to the demand notice itself.

7. Mr. Bhojwani, the learned Counsel for respondent No.1, submitted that having regard to the multiple rounds of

proceedings before this Court, respondent No.2 would be content if the petitioners are directed to deposit 10% of the compensation amount; instead of 20%, and the Appellate Court is directed to hear and decide the appeals expeditiously.

8. As noted above, the petitioners have already deposited a sum of Rs.10,00,000/- and the said amount has already been withdrawn by respondent No.1. In these circumstances, having regard to the marginal difference between the said amount and 10% of the amount of the compensation, this Court considers it expedient to give a quietus to the matter as regards the deposit of the compensation amount and direct the learned Additional Sessions Judge seized with the appeals, to hear and decide the appeals expeditiously.

9. The petitions thus stand disposed with the following directions:

- (a) The amount of Rs.10,00,000/- deposited by the petitioners and withdrawn by respondent No.1 – complainant, be treated as the compensation ordered to be deposited by the Appellate Court under Section 148 of the NI Act, 1881.

- (b) Hearing in Appeal Nos.64/2024, 65/2024, 62/2024 and 63/2024 stands expedited.
- (c) The learned Sessions Judge is requested to make an endeavour to hear and decide the appeals as expeditiously as possible, and, preferably, within a period of one year from the date of the communication of this order.
- (d) The parties shall co-operate with the learned Sessions Judge in expeditious disposal of the appeals and shall not seek adjournment.

[N. J. JAMADAR, J.]