

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

**INTERIM APPLICATION NO. 1747 OF 2025
IN
CRIMINAL REVISION APPLICATION NO. 191 OF 2025**

Sau. Aruna Ravindra Rajhans Applicant
V/s.

Sudhakar Laxman Patil and Ors. Respondents

Mr. Shrikant Gadade for the Applicant.

Mr. Sarvesh Deshpande (through VC) for Respondent No.1.

Mr. Y.Y. Dabke, APP for the Respondent – State.

CORAM : SHYAM C. CHANDAK, J.

**DATED : 19th MAY, 2025
(VACATION COURT)**

P.C. :-

. Not on board. Upon mentioning, taken on board.

2) Mr. Deshpande, the learned Advocate waives notice on behalf of Respondent No.1 in Interim and Revision Applications and undertakes to file *Vakalatanama* on behalf of Respondent No.1, within one week from today. Said statement is accepted as an undertaking to the Court.

3) Heard Mr. Gadade, learned Advocate for the Applicant, Mr. Deshpande for Respondent No.1 and Mr. Dabke, learned APP for Respondent No.2-the State. Perused the record.

4) By the impugned Judgment and Order dated 30th March 2022, in Summary Criminal Case No.95/2015, passed by the Court of the learned Judicial Magistrate, First Class, *Satana*, Dist. Nashik, the Applicant was

convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to suffer simple imprisonment for three months and directed to pay a sum of Rs.4,50,000/- as compensation to the Respondent No.1, under Section 357 (3) of the Criminal Procedure Code. The Applicant challenged the said Judgment and Order in Criminal Appeal No. 12 of 2022, before the Sessions Court. By the Judgment and Order dated 07th April 2025, impugned in the aforesaid Criminal Revision Application, the learned Additional Sessions Judge, at Malegaon dismissed the said Appeal

5) The learned Advocate for the Applicant submits that the Applicant has a good case on merit. The Applicant has been convicted and sentenced for bailable offence. The Applicant was on bail during trial and also during the pendency of the said Appeal. The Applicant has not misused the said liberty. He submits that the Applicant is a woman and presently aged 62 years. The Applicant has deposited Rs.90,000/- towards part payment of the compensation amount. The Applicant undertakes to deposit Rs.1,10,000/- within one week from today and the balance amount of Rs.2,50,000/-, on or before 25th June, 2025. He on instructions, stated that the Applicant is ready to amicably settle the matter. The Revision Application would take time for final hearing and disposal.

6) The learned Advocate for Respondent No.1 opposed the Application. However, on instructions, he stated that Respondent No.1 is also ready to amicably settle the matter. He submits that as the original

matter is very old, the Respondent No.1 be permitted to withdraw the compensation amount deposited by the Applicant, as above. The learned Advocate for the Applicant has no objection for the said withdrawal, subject to filing necessary usual undertaking.

7) In view thereof, I am inclined to allow the Application.

7.1) Hence, following Order is passed :-

(a) Interim Application No.1747 of 2025 is allowed.

(b) Pending the Revision Application, the execution of the substantive sentence imposed upon the Applicant and direction to pay the compensation *vide* Judgment and Order dated 30th March, 2022 in Summary Criminal Case No.95/2015 passed by the learned Judicial Magistrate First Class, Satana, Dist. Nashik, is suspended subject to the Applicant depositing Rs.1,10,000/- on or before 26/05/2025 and balance amount of Rs.2,50,000/- on or before 25/06/2025.

(c) Pending the Revision Application, the Applicant is directed to be released on bail in Summary Criminal Case No.95/2015, on her furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.

(d) The aforesaid amount to be deposited and the bail to be furnished before the Appellant Court.

- (e) After her release from the Jail, the Applicant shall attend this Court as and when directed and shall co-operate for the expeditious disposal of the aforesaid Revision Application.
- (f) After deposit of the compensation amount by the Applicant as stated above, the Respondent No.1 is permitted to withdraw the said amount subject to furnishing usual undertaking that in case the Applicant succeeds in the Revision Application, the Respondent No.1 would refund the said amount as directed by this Court.
- 8) Interim Application is disposed of in aforesaid terms.
- 9) List the Criminal Revision Application on **26th June, 2025**.

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PREETI HEERO
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Date: 2025.05.19
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(SHYAM C. CHANDAK, J.)