

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

Interim Application No. 2582 of 2025

in

Criminal Revision Application No. 468 of 2017

Sudhakar Vasu Shetty

Now he is Jail under Conviction order

Age: 65 years, Occupation: Service

Residing At: - Room No. 302, 3rd Floor,

Suraj Complex, Sector- 36, Kamothe

Navi Mumbai – 410 209

... Applicant

(Original Appellant/Accused)

versus

1. Ravi Rajan Pandayan

Age: 56 years, Occupation: Business,

R/a. Vishwashanti Co-Op Housing

Society, Building No.7,

Room No.1 & 2, Near Railway

Crossing, Mukund Nagar, Vashi Naka,

Chembur, Mumbai – 400 074

(Original Respondents/Complainants)

2. The State of Maharashtra

Summons to be served upon the

Office of the Public Prosecutor,

High Court, Appellate Side,

Mumbai - 400 001

...Respondents

With
Interim Application No.2637 of 2025
In
Revision Application No. 469 of 2017

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Mr RM Haridas, a/w. Mr Somnath Thengal, i/b. Mr Satish Kumbhar, for the applicant in both IAs.
Mr M G Patil, APP, for respondent No.1/State in IA/2582/2025.

Mr S V Walve, APP, for respondent No.1/State in IA/2637/2025.

Mr Deepak Kumbhar, for respondent No.2 in both IAs.

Coram: R.N. Laddha, J.

Date: 17 July 2025

P.C.:

The learned Counsel appearing for the applicant seeks leave to amend the prayer clause to add a reference to the impugned orders. Leave granted as prayed for. The amendment shall be carried out forthwith.

2. Heard the learned Counsel for the parties.

3. These applications are filed for suspension of sentence and grant of bail, pending hearing and final disposal of the accused in the revision applications.

4. The applicant, vide judgments and orders dated 25 October 2009 passed by the Metropolitan Magistrate, 59th Court, Kurla, Mumbai, in CC Nos.31172/SS/2009 and 25508/SS/2009, has been convicted under Section 138 of the Negotiable Instruments Act, 1881, and sentenced to suffer simple imprisonment for one year and pay Rs.9,50,000/- to respondent No.1. Aggrieved, the applicant preferred two appeals bearing Nos.357 of 2014 and 356 of 2014 before the

learned Additional Sessions Judge, Mumbai. By orders dated 18 November 2016, the Sessions Court confirmed the convictions and reduced the applicant's sentence to one month.

5. The learned Counsel for the applicant submits that the applicant has paid the fine amount to respondent No.2, and the learned Counsel for respondent No.2 confirms the receipt of the amount and submits that respondent No.2 has no objection to suspending the applicant's sentences during the pendency of the revision applications. The learned APP submits that appropriate orders may be passed. The contesting parties, who are present in Court, are identified by their respective Counsel. When questioned, respondent No.2 confirms that he has received the compensation and expresses his consent to suspend the applicant's sentence and release him on bail.

6. Considering the nature of accusations and respondent No.1's no-objection to suspending the applicant's sentences and releasing him on bail pending the hearing and final disposal of the criminal revision application, the sentences imposed on the applicant by the learned Metropolitan Magistrate in CC Nos.31172/SS/2009 and 25508/SS/2009, and subsequently modified by the learned Additional Sessions Judge in Criminal Appeal Nos.357 of 2014 and 356 of 2014, are suspended

during the pendency of the revision applications. The applicant shall be enlarged on bail upon executing a personal bond of Rs.25,000/- with one or more sureties in the like amount within a period of three weeks from today.

7. The interim applications stand disposed of accordingly.

(R.N. Laddha, J.)