

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

**Interim Application No.2844 of 2025
In
Revision Application No.321 of 2025**

1. Jagdish Bastimal Mehta
Age: 60 yrs, Occ: Business,
R/at A Wing, Flat No.301,
Shankeshwar Darshan building,
3rd Floor, Anant Ganpta
Pawar Lane, Ghodapdeo, Byculla,
Mumbai-400 0027.

2. Pratik Jagdish Mehta
Age: 36 yrs, Occ: Business,
R/at A Wing, Flat No.301,
Shankeshwar Darshan building,
3rd Floor, Anant Ganpta
Pawar Lane, Ghodapdeo, Byculla,
Mumbai-400 0027

... Applicants.

Vs.

1. The State of Maharashtra
(Copy to be served upon
Addl.PP, HC of Bombay)

2. Mr Kishormal Bhabumal Jain
Age: 50, Occ: Business,
R./at 35, Krishna Bhawan, First
Carpenter Street, CP Tank, Mumbai
Proprietor of M/s Ashok Metal
Corporation.

... Respondents.

Mr Niranjan Mundargi a/w Bhavin Gada, Vishal Kale, and Ganesh Misal for the applicant.

Mr YM Nakhwa, APP for the respondent / State.

Coram : R.N.Laddha, J.

Date : 22 August 2025.

P.C. :

Heard Mr Niranjan Mundargi, the learned Counsel appearing on behalf of the applicants, and Mr YM Nakhwa, the learned Additional Public Prosecutor representing respondent No.1/ State.

2. The applicants (accused Nos.1 and 2), vide judgment and order dated 2 February 2017, passed by the learned Metropolitan Magistrate, 70th Court, Mazgaon, Mumbai, in CC No.529/SS/2015, have been convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, and sentenced to suffer simple imprisonment for six months and pay a fine of Rs.70,00,000/- jointly and severally, and in default, suffer simple imprisonment for six months. Aggrieved, the applicants preferred an appeal bearing No.124 of 2017 before the Sessions Court, Mumbai. By a judgment and order dated 23 July 2025, the learned Additional Sessions Judge dismissed the appeal.

Dissatisfied, the applicants have approached this Court invoking its revisional jurisdiction, and by the present application, the applicants seek suspension of sentence and release on bail, pending hearing and final disposal of the revision application.

3. The learned Counsel appearing on behalf of the applicants submits that out of Rs.70,00,000/-, the applicants have already deposited Rs.10,00,000/- before the trial Court, and now the applicants are ready to deposit an additional sum of Rs.25,00,000/- within a period of one week.

4. Having regard to the nature of the accusations and considering the short sentence awarded, it is directed that, pending the hearing and final disposal of the criminal revision application, the substantive sentence imposed upon the applicants shall remain suspended. The applicants shall be released on bail upon executing a Personal Bond of Rs.25,000/- each, with one or more sureties in the like amount, subject to the condition that they deposit a sum of Rs.25,00,000/- before the trial Court within a period of three weeks from today.

5. The interim application stands disposed of accordingly.

[R. N. Laddha, J.]