



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPLICATION (APPR) NO.24 OF 2025
IN
CRIMINAL REVISION APPLICATION NO.15 OF 2025

Ramesh s/o Tulshiram Thakare
Vs.
Rishirajsingh s/o Rupsingh Shekhawat

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. A. R. Sharma, Counsel for the applicant.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 04/02/2025

1. By this application, the applicant is seeking suspension of sentence and releasing him on bail.
2. Learned Counsel for the applicant submitted that by this appeal, the applicant has challenged the concurrent findings of the learned Judicial Magistrate First Class, Court No.1, Daryapur as well as of the learned Extra Joint Additional Sessions Judge, Achalpur. The applicant has every chance of success in the present appeal, but the appeal would take its own time for its final disposal. In the meantime, if the sentence is executed, the revision application will become infructuous. She has also shown the willingness of the applicant to deposit 50% of the amount of the compensation.

3. Considering the grounds raised in the application, admittedly, the revision would take its own time for its final disposal. The punishment imposed is of a limited period. In view of that, the sentence requires to be suspended on the condition that the applicant shall deposit 50% of the amount of Rs.1,28,000/- within a period of **four weeks**. In view of that, I proceed to pass following order:

ORDER

(i) Criminal Application (APPR) No. 24/2025 is allowed.

(ii) The execution of the sentence passed in Summary Criminal Case No.466/2012 by the learned Judicial Magistrate First Class, Court No.1, Daryapur is confirmed in Criminal Appeal No.78/2016 by the learned Extra Joint Additional Sessions Judge, Achalpur is hereby be suspended till disposal of the revision application.

(iii) The applicant shall be released on bail on executing PR. Bond in the sum of Rs. 25,000/- with one solvent surety of the like amount.

The application is disposed of.

CRIMINAL REVISION APPLICATION
NO.15 OF 2025

1. By this revision application, the applicant is challenging the concurrent findings of the Judicial Magistrate First Class, Court No.1, Daryapur and the Extra Joint Additional Sessions Judge, Achalpur confirming the conviction of the present applicant

under Section 138 of the Negotiable Instruments Act, sentencing him to suffer simple imprisonment for two months.

2. **Admit.**

3. Issue notice to the respondent, returnable after **four weeks**.

4. Call for record and proceedings.

5. Revision application be listed after preparation of the paper book and after receipt of the record and proceedings.

(URMILA JOSHI-PHALKE, J.)