



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO. 65 OF 2025
IN
CRIMINAL REVISION APPLICATION NO. 41 OF 2025

Bhaktapralhad Godruji Shembekar Vs Manda Keshaoji Ninawe

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Rajat Biranware, counsel for applicant.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 19/03/2025.

1. By this application, the applicant is seeking suspension of sentence and releasing the applicant on bail.
2. The present revision is preferred against the concurrent finding passed by the 24th Judicial Magistrate First Class, Nagpur and confirmed by the Additional Sessions Judge, Nagpur in Criminal Appeal No. 134/2018, by which the punishment imposed under Section 138 of the Negotiable Instrument Act and sentencing the present applicant to suffer simple imprisonment for six months and compensation of Rs. 5,00,000/- is confirmed.
3. The learned counsel for the applicant submitted that 20% amount of the compensation is already deposited by the present applicant. Admittedly the punishment imposed is of a limited period and the revision would take its own time for its final disposal. In the meantime, if the sentence is executed, the revision

application would become infructuous. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

ORDER

- a] The application is allowed.
 - b] The execution of the sentence passed in S.C.C. No. 21335/2015 and confirmed in Criminal Appeal No. 134/2018 is hereby suspended till disposal of the appeal.
 - c] The applicant shall be released on bail on executing PR. Bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.
4. The criminal application is disposed of.

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- 1. Heard.
- 2. **Admit**
- 3. Call for record and proceedings.
- 4. The revision be listed before the Court after preparation of paper-book.

[URMILA JOSHI-PHALKE, J.]