



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION NO.69 OF 2025

IN

CRIMINAL REVISION APPLICATION NO.44 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. R.A. Biranware, Advocate h/f Mr. O.K. Masurke, Advocate for the
appellant.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 26, 2025.

By this application, the appellant is seeking
suspension of sentence and releasing him on bail.

2. The appellant is convicted of the offence
punishable under Sections section 138 of Negotiable
Instrument Act and sentenced to suffer simple
imprisonment for 6 months and to pay fine of
Rs.7,00,000/- and in default to suffer simple
imprisonment for 10 months.

3. The revision applicant has already deposited
the 25% of the compensation amount.

4. Learned Counsel for the appellant submitted
that he has many arguable points in the present revision
application. However, the revision application would take
its own time for its final disposal. In the meantime, if
sentence is executed, the revision would become

infructuous. In view of that, he be released on bail and the execution of sentenced be suspended.

5. I have heard learned Counsel for the appellant and perused the documents. The revision would take its own time for its final disposal. Considering the same, the application deserves to be allowed. Accordingly, I proceed to pass following order :

(i) The application is allowed.

(ii) The execution of the sentence vide order dated 05/04/2018 passed by the 24th Judicial Magistrate First Class (Special Court for 138 N.I. Act), Nagpur in SCC No.22049/2015 and Criminal Appeal No.133/2018 vide order dated 30/01/2025 passed by the Additional Sessions Judge, Nagpur is hereby suspended till final disposal of the revision application.

(iii) The appellant – Bhaktapralhad Godruji Shembekar be released on bail on executing PR. Bond in the sum of Rs.15,000/- (Rs. Fifteen thousand) with one surety, in the like amount.

6. The application stands disposed of.

CRIMINAL REVISION APPLICATION NO.44 OF 2025

Heard.

2. Call for R. & P.
3. Place the revision application before the Court after receipt of the R. & P.

(URMILA JOSHI-PHALKE, J.)

**Divya*