



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

CRIMINAL APPLICATION (APPR) NO. 114 OF 2025

IN

CRIMINAL REVISION NO. 80 OF 2025

Krushna Lakshaman Junghare

Vs.

Asha Gopal Lingamwar

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Raju Kadu, Advocate for petitioner.

CORAM : SMT. URMILA JOSHI PHALKE, J.

DATE : 06.05.2025

Heard.

2. By preferring this revision, the petitioner has challenged the order and judgment passed by the Additional Chief Judicial Magistrate, Chandrapur, by which the present applicant is held guilty of the offence punishable under Section 138 of the Negotiable Instrument Act, 1881, and sentence to suffer simple imprisonment of three months and pay compensation of Rs.6,40,000/- which is confirmed in a Criminal Appeal No. 87/2023.

3. The learned counsel for the applicant submitted that 10% of the compensation amount he

has already deposited and ready to deposit additional 10%. He further submitted from the impugned judgment that he has many arguable points in the present application, however, it would take its own time for its final disposal. In the meantime, if the sentence is excluded that the revision would become infructuous. Moreover, the punishment imposed is of a limited period.

4. Heard learned counsel for the applicant.

5. Perused the impugned judgment of the trial Court as well as the First Appellate Court, from which, the learned counsel has pointed out that he has many arguable points in the present application. Considering the same and considering the fact that, the punishment imposed is of a limited period. The revision application would take its own time, and if sentence is executed, the revision application would become infructuous.

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

(a) Criminal Application (APPR) No.114 of 2025 is allowed.

(b) The execution of the sentence passed in Summary Criminal Case No.1399/2018 and confirmed in Criminal Appeal No.87/2023, on condition that the applicant shall deposit additional 10% compensation amount within four weeks.

(c) The applicant shall be released on bail on excluding PR. bond of Rs.25,000/- with one surety of like amount.

(d) Criminal Application (APPR) No.114/2025 is disposed of.

Criminal Revision No.80/2025

Admit.

2. Call for record and proceedings.
3. Criminal revision be listed after receipt of the R & P for final disposal.

(SMT. URMILA JOSHI PHALKE, J)