



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

CRIMINAL APPLICATION NO.145 OF 2025
IN
CRIMINAL REVISION APPLICATION NO.108 OF 2025
(Sachin s/o Suryabhan Gawande Vs. Vinod Vasantrao Shahale)

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

Court's or Judge's Order

Mr. P.R. Agrawal, Advocate for the applicant.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 9, 2025.

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

2. Learned Counsel for the applicant submitted that the applicant was prosecuted of the offence punishable under Section 138 of Negotiable Instrument Act, 1881 and he was convicted in S.C.C. No.1429/2011 and sentenced to suffer Simple Imprisonment for six months and to pay compensation of Rs.3,00,000/-. He challenged the said judgment and order in Criminal Appeal No.37/2017 which is confirmed and hence this revision. He submitted that the applicant has already deposited the amount of Rs.75,000/- i.e. 50% of the total compensation amount before the appellate Court and is ready to deposit additional amount of Rs.75,000/- which would be 50% of the total compensation amount.

3. Learned Counsel for the applicant submitted that he has many arguable points in the present revision but the revision application would take its own time for its final disposal. In the meantime, if sentence is executed then the revision would become infructuous.

4. On hearing learned Counsel for the applicant and on perusal of both the impugned judgment from which the learned Counsel has pointed out that he has many arguable points. Moreover, the punishment imposed is of a limited period. The applicant has already shown his willingness to deposit additional amount of Rs.75,000/- and Rs.75,000/- he has already deposited. In view of that, the execution of the sentence be suspended and the applicant be released on bail. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The execution of the sentence passed by the 3rd Judicial Magistrate First Class, Yavatmal in S.C.C. No.1429/2011 dated 16/06/2017 and confirmed by the Additional Sessions Judge, Yavatmal in Criminal Appeal No.37/2017 dated 02/06/2025 is hereby suspended till final disposal of the revision.

(iii) The applicant – Sachin s/o Suryabhan Gawande be released on bail on executing P.R.

Bond in the sum of Rs.25,000/- with one surety, in the like amount.

5. The application stands disposed of.

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Heard.

2. **ADMIT.**
3. Issue notice to the non-applicant.
4. Call for R. & P
5. Place the revision application before the Court after receipt of R. & P. for final disposal.

(URMILA JOSHI-PHALKE, J.)

**Divya*