



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

CRIMINAL APPLICATION (APPR) 192 OF 2025 IN
CRIMINAL REVISION APPLICATION NO. 140 OF 2025

Joseph s/o Manish Michael Vs Shobhna Vasudeo Korlekar

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

Court's or Judge's Order

Mr. D.V. Mahajan, counsel for applicant.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 22/08/2025.

1. By this application, the applicant is seeking suspension of sentence and releasing the applicant on bail.
2. The applicant has been convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 by the 19th Joint Civil Judge, Senior Division, and Additional Chief Judicial Magistrate (Special Court-138 N.I. Act), Nagpur, and has been sentenced to undergo simple imprisonment for one month and to pay a fine of Rs. 25,00,000/- as compensation.
3. Being aggrieved and dissatisfied with the same, the applicant preferred Criminal Appeal No. 23 of 2022, which was dismissed. Therefore, the applicant has approached this Court with an application for suspension of sentence.

4. Heard the learned counsel for the applicant, who submitted that the applicant has already deposited the amount of Rs. 5,00,000/-. He has also pointed out that there are several arguable points in the present revision. However, the revision will take its own time for its final disposal. Moreover, the punishment imposed is of a limited period. In view of that, the execution of the sentence be suspended and the applicant be released on bail.

5. On perusal of the impugned judgment, the learned counsel for the applicant pointed out that there are many arguable points in the revision application. Moreover, the applicant has already deposited the amount of Rs.5,00,000/- before the Sessions Court. Admittedly, the revision would take its own time for its final disposal. In view of that, I proceed to pass the following order.

- a] The criminal application is allowed.
- b] The execution of the sentence passed in Criminal Case No. 947/2016 confirmed in Criminal Appeal No. 23 of 2022 is hereby suspended till disposal of the revision application.
- c] The applicant shall be released on bail on executing P.R. Bond of Rs. 25,000/- with one surety of like amount.

6. The criminal application is disposed of.

CRIMINAL REVISION APPLICATION NO. 140 OF 2025

1. Heard.
2. Issue notice to the non-applicant.
3. **Admit.**
4. Call for record and proceedings.
5. Revision application be listed before this Court after record and proceedings is received as per its own turn.

[URMILA JOSHI-PHALKE, J.]