IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4448 OF 2026
IN
CRIMINAL REVISION APPLICATION NO. 359 OF 2026

SIMRANPALSINGH JASBIRSING SALUJA
Versus
MANIDERSINGH BALBIRSING SALUJA

.....

Mr. Chandrakant V. Thombre, Advocate for Applicant
Mr. P. C. Bhagure, Advocate for Respondent

.....

CORAM : HITEN S. VENEGAVKAR, J.

DATED : 23rd OCTOBER, 2026

PER COURT :

1. Heard learned Advocate for the applicant and the learned Advocate for the respondent.

2. The applicant is convicted by the order of learned Judicial Magistrate First Class, Aurangabad in S.C.C. No. 9557 of 2018 for offences punishable under Section 138 of Negotiable Instruments Act. The applicant was further directed to pay a fine of Rs.3,60,000/- to the respondent/original complainant challenging the said order and appeal was preferred before the Sessions Court under Section 374 of Cr.P.C. being Criminal Appeal No. 104 of 2023. The said appeal came to be dismissed on 21st October, 2026. In pursuance of the said confirmation of the conviction, the applicant has been taken in custody on 21st October,

2026 itself and presently is lodged in Central Jail, Aurangabad.

3. The learned Advocate appearing for the applicant and the learned Advocate appearing for the respondent jointly submit that the parties have amicably settled the dispute among themselves and therefore the applicant is ready and willing to pay the entire amount awarded by the Trial Court to the respondent/ complainant. Towards the full and final payment, a Demand Draft of Rs.3,60,000/- dated 22nd October, 2026 is produced, which stands in the name of the Registrar, High Court Bench at Aurangabad. The learned Advocate for the applicant assures that the said Demand Draft will be submitted in the Registry of this Court. If the Demand Draft is submitted, then respondent/ complainant can be permitted to withdraw the said amount by making necessary application to the Registrar.

4. The submissions of both the learned Advocates pertaining to compounding the matter by arriving at an amicable settlement among themselves in the present proceedings can be taken into consideration while deciding the Criminal Revision Application. The Hon'ble Supreme Court in case of ***Rekha v. Golf Links Finance and Resorts Pvt. Ltd. etc.,*** in Criminal Appeal arising out of Special Leave Petition (Criminal) Nos.11754-11755 of 2025 have permitted compounding of the offence by amicable settlement

between the parties even after the conviction has been upheld by the Appellate Court under Section 374 of Cr.P.C.

5. Taking into consideration that, the Demand Draft of the entire amount is being deposited by the applicant in this Court, I am inclined to allow the application for suspension of sentence.

ORDER

(i) The Criminal Application No. 4448 of 2026 is allowed.

(ii) The sentence awarded by the learned JMFC at Aurangabad in S.C.C. No.9557 of 2018 dated 09.05.2023 and the subsequent order dismissing the Criminal Appeal No. 104 of 2023 by the Additional Sessions Judge, Aurangabad dated 21.10.2026 is hereby suspended.

(iii) The applicant is directed to be released by executing a personal bond of Rs.25,000/- with one or two sureties. The exercise of execution of furnishing surety can be completed within a period of two weeks from today.

(iii) The applicant shall be forthwith released on cash bail of Rs.25,000/- for a period of two weeks from today.

(iv) Parties to act on the authenticated copy of this order.

(HITEN S. VENEGAVKAR)
JUDGE

Tandale