IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

2 CRIMINAL APPLICATION NO.4565 OF 2026
IN
CRIMINAL REVISION APPLICATION NO.368 OF 2026

Abdul Sattar Abdul Kadar
VERSUS
Annapurna Urban Co-op Credit Society Ltd Hingoli
Through Its Branch Manager
....
Shri. Amol Gangadharrao Kale, Advocate for Applicant
.....

CORAM : HITEN S. VENEGAVKAR, J.
DATED : 02.11.2026

PER COURT :

. By way of the present Application, the Applicant seeks suspension of the sentence imposed by the learned Additional Chief Judicial Magistrate, Hingoli, Dist. Hingoli, vide judgment and order dated 03.01.2019 passed in S.C.C. No. 702/2014 for the offence punishable under Section 138 of the Negotiable Instruments Act (in short, 'N.I. Act'), which came to be modified by the learned Sessions Judge, Hingoli, vide judgment and order dated 22.10.2026 passed in Criminal Appeal No. 4/2019, whereby the sentence of simple imprisonment for three (3) months imposed by the learned Trial Court was reduced to simple imprisonment for one (1) month, while maintaining the conviction of the Applicant.

2. Learned Advocate for the Applicant submits that, the sentence imposed upon the Applicant is of a short duration of one (1) month simple imprisonment. The Applicant is already arrested on 19.10.2026 pursuant to the Non-bailable Warrant issued against him during the pendency of the Appeal, on account of his failure to remain present before the Appellate Court. Since then, the Applicant is in custody. The Appeal came to be decided on 22.10.2026 thereby maintaining conviction of the Applicant, however altered sentence of simple imprisonment from three months to one month.

3. Learned Advocate for the Applicant, in addition to the grounds raised in the Application, also submits that, the Applicant is ready and willing to deposit the entire compensation amount awarded to the Respondent-Complainant by way of a Demand Draft in this Court under protest. Learned Advocate for the Applicant submits that the Demand Draft is ready and that the same shall be deposited with the Registry of this Court today itself.

4. Having regard to the short sentence imposed upon the Applicant, the period of incarceration already undergone by him and his willingness to deposit the entire compensation amount awarded to the

Respondent-Complainant, I pass the following order:

**ORDER**

(i) The Application is allowed.

(ii) The sentence imposed on the Applicant, namely, Abdul Sattar Abdul Kadar, by the learned Additional Chief Judicial Magistrate, Hingoli, Dist. Hingoli, vide judgment and order dated 03.01.2019 passed in S.C.C. No. 702/2014 for the offence punishable under Section 138 of the Negotiable Instruments Act (in short, 'N.I. Act'), which conviction has been maintained and the sentence of imprisonment for three (3) months has been reduced to simple imprisonment for one (1) month by the learned Sessions Judge, Hingoli, vide judgment and order dated 22.10.2026 passed in Criminal Appeal No. 4/2019, is hereby suspended during the pendency of the Criminal Revision Application, subject to the following conditions:

(a) The Applicant shall deposit the entire compensation amount awarded by the learned Trial Court which has been confirmed by the learned Appellate Court, before the Registry of this Court by way of Demand Draft today itself under protest.

(b) The Applicant, namely, Abdul Sattar Abdul

Kadar, be released on bail on furnishing P.R. Bond of Rs.20,000/- (Rupees Twenty Thousand Only), with one or two sureties in the like amount.

(iii) The Application stands disposed of.

5. Authenticated copy of this order shall be furnished to the parties to act upon.

(HITEN S. VENEGAVKAR)
JUDGE

*GGP*