



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3663 OF 2025
IN REVN/307/2025

Prakash Bhalchandra Sohani

VERSUS

Shree Yadnyavalkya Nagari Sahakari Pat
Sanstha Ltd, Ahmednagar and Anr

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Mr. S. Y. Mahajan, Advocate for Applicant

Mr. S. S. Subhedar, Advocate for Respondent No. 1

Mr. S. G. Sangle, APP for Respondents

CORAM : ABHAY S. WAGHWASE, J

DATE : FEBRUARY 12, 2026

PC :

1. Present application is for suspension of substantive sentence and grant of bail on account of conviction recorded by learned JMFC, Ahmednagar in SCC No. 769/2014.

2. Learned Counsel fo Applicant pointed out that, Applicant was prosecuted under Section 138 of Negotiable Instruments Act for above referred SCC and he came be convicted by order dated 17.09.2016. That, seems to be challenged before Sessions Court vide Criminal Appeal no. 187/2016, however, the same came to be dismissed vide order dated 29.08.2025. Against the same, Revision has been preferred recently. He pointed out that, Revision Petitioner is over 70 years of age and has several ailments. That, in proceedings before

learned JMFC as well as Sessions Court he was on bail. Even, over Rs.1,40,000/- is already deposited. Therefore, during pendency of Revision, he urges for above relief of suspension of sentence and grant of bail.

3. Learned Counsels for Respondents opposes the above contentions by stating that, both Trial Court as well as First Appellate Court on complete appreciation has recorded the guilt and, therefore, as entire amount of cheque is not deposited, they prays to reject the application.

4. After hearing the above submissions and on going through the papers, it is emerging that, applicant has faced trial vide SCC no. 769/2014 before learned 6th Court JMFC, Ahmednagar, who, on appreciating the evidence, recorded the guilt of Applicant. Attempt to question the same before Sessions Court by way of Criminal Appeal no. 187/2016 also seems to have gone futile as Appellate Court confirmed the judgment of Trial Court. Now revision is preferred this Court and the same is pending.

Taking into account statement across the bar, the nature of offence, quantum of sentence and the fact that, Applicant is over 70 years of age and he was on bail during proceedings before both the Court and also taking into account receipt of deposit paid to the tune of

Rs.1,40,000/-, there is no reason to refuse relief during pendency of the Revision.

5. In view of above, following order:

O R D E R

- (a) Criminal Application stands allowed.
- (b) Substantive sentence imposed on applicant by learned Judicial Magistrate First Class, Ahmednagar, in Summary Criminal Case No. 769/2014 vide judgment and order dated 17.09.2016 and further confirmed by learned Additional Sessions Judge, Dist. Ahmednagar in Criminal Appeal No.187/2016 vide judgment and order dated 29.08.2025, stands suspended till the final hearing and disposal of present Criminal Revision Application.
- (c) The applicant be released on bail on P.R. Bond of Rs. 15,000/- (Rupees fifteen thousand only) with one solvent surety in the like amount.
- (d) The applicant shall not commit any criminal activity.
- (e) Bail before trial Court.

(ABHAY S. WAGHWASE, J.)

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