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IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL REVISION APPLICATION NO.205 OF 2026
WITH
CRIMINAL MISC. APPLICATION NO.243 OF 2026

CRIMINAL REVISION APPLICATION NO.205 OF 2026

GOVIND ATMARAM KUBAL ... APPLICANT

Versus

THE STATE OF GOA THR THE PUBLIC PROSECUTOR AND ANR ... RESPONDENTS

WITH
CRIMINAL MISC. APPLICATION NO.243 OF 2026

GOVIND ATMARAM KUBAL ... APPLICANT

Versus

THE STATE OF GOA THR THE PUBLIC PROSECUTOR AND ANR ... RESPONDENTS

Mr Ryan Menezes, Advocate along with Mr Vidyesh Naik (through VC), Advocate for the Applicants.
Mr Preetam Talaulikar, Addl. Govt. Advocate for the Respondents.

CORAM:- AMIT S. JAMSANDEKAR, J.

DATED :- 1st October, 2026

P.C.

1. Heard the learned Counsel for the Applicant.

2. The Applicant challenges the order passed by the learned Additional Sessions Judge, whereby the Appeal preferred by the Applicant arising out of proceedings under Section 138 of the Negotiable Instruments Act was dismissed.

3. The learned Counsel for the Applicant submitted that the Applicant has already paid Rs.6 lakhs to the Complainant and has deposited a further Rs.4 lakhs before the Appellate Court. It is submitted that an

amount of Rs.12 lakhs remains outstanding towards the total compensation. He, therefore, submitted that the substantive sentence awarded by the learned JMFC be suspended.

4. I have heard the submissions made by the learned Counsel for the Applicant and perused the record.

5. *Prima facie*, I am not satisfied with the submissions made on behalf of the Applicant that the Applicant has paid Rs. 6 lacs to the Respondent. On this aspect, the findings are concurrent against the Applicant.

6. However, considering that an amount of Rs.4 lakhs has already been deposited before the Appellate Court and that the Applicant is ready and willing to deposit a further amount of Rs.6 lakhs, the following order would serve the purpose at this stage:

"Accordingly, the substantive sentence awarded by the learned JMFC vide judgment and orders dated 30.06.2025 and 04.07.2025 stands suspended for a period of two weeks from today."

7. The Applicant shall deposit an amount of Rs.6 lakhs on or before 15.10.2026. Upon such deposit, the Court shall consider granting further time to the Applicant for depositing the remaining amount of Rs.6 lakhs.

8. In the event the Applicant fails to deposit the amount of Rs.6 lakhs on or before 15.10.2026, the relief granted to the Applicant shall stand

vacated forthwith.

9. Issue notice to the Respondents. Returnable on 15.10.2026. Humdast Allowed. In addition to the Court notice the Advocate for the Appellant shall serve the Respondents by all permissible modes.

10. The Applicant shall pay the process fees on or before 06.10.2026.

11. Stand over to 15.10.2026.

12. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

AMIT S. JAMSANDEKAR, J.

Signed by: VINITA VIKAS NAIK
Designation: Private Secretary
Date: 08/10/2026 18:06:53