

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CR. WRIT PETITION NO. 124 OF 2026

Nandkumar Jarnadran Bait ... Petitioner

Versus

Raghuvir Kashinath Sawantdesai And Anr. ... Respondents

Mr. Aarya Ambulkar for the Petitioner.

Mrs. Priyanka S. Rane, A.P.P. for the Respondent-State.

Coram : RANJITSINHA RAJA BHONSALE, J.
Date : 17th March 2026.

PER COURT :

1. Heard.
2. Issue notice to the Respondent No.1, returnable on 2nd April 2026.
3. Hamdust permitted.
4. Learned A.P.P. through the Investigating Officer is directed to inform the Respondent No.1 about the present Petition and the next date of hearing.
5. By the present Petition, the Petitioner seeks to challenge the order dated 19th July 2025 passed by the Additional Sessions Judge, Ratnagiri in Criminal Misc. Application No. 10 of 2024. It is the case of the Petitioner that

by the Judgment and Order dated 7th November 2023 passed by the learned 2nd Jt. Judicial Magistrate First Class, Ratnagiri in Summary Case No. 1242 of 2019, the Petitioner has been convicted for an offence punishable under Section 138 of the Negotiable Instruments Act (for short, “N.I. Act”) and sentenced to suffer imprisonment of 3 months and further pay compensation of Rs.2,60,000/- to the complainant within a period of three months. In default, the Petitioner is to suffer simple imprisonment for a period of 10 days.

6. Learned Advocate for the Petitioner would submit that there was a delay of 96 days in preferring the Appeal. He would submit that the Petitioner’s Appeal has been rejected on the ground of delay.

7. Learned Advocate for the Petitioner would submit that the Petitioner has already paid an amount of Rs.52,000/- on 11th March 2024, at the filing the Appeal before the learned Sessions Court at Ratnagiri, i.e. 20% under Section 148 of the N.I. Act. That, on 7th December 2021 an amount of Rs.20,000/- and on 11th March 2024 an amount of Rs.10,000/- have also been deposited by the Petitioner before the 2nd Jt. Judicial Magistrate First Class at Ratnagiri. That, the Petitioner undertakes to pay an amount of Rs. 50,000/- on or before 25th March 2026 with the Sessions Court at Ratnagiri. The said statement is accepted as an undertaking given to this Court.

8. In view of the aforesaid, till the next date, there shall be ad-interim relief in terms of prayer clause (c).

9. Stand over to 2nd April 2026.

[RANJITSINHA RAJA BHONSALE, J.]

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