

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR  
CRIMINAL APPELLATE JURISDICTION  
CRI-INTERIM APPLICATION NO. 303 OF 2026  
IN**

**CR. REVISION APPLN. NO. 34 OF 2026**

Pravin Prabhakar Ghadge

VERSUS

Pachgani Credit Co Op. Society Ltd Thr Sampat Bhiram Shelkar

Mr. Rushikesh Barge a/w Mr. Viren Ghatge, for the applicant  
Mr. P. P. Deokar APP for the State.

**CORAM : SACHIN S. DESHMUKH, J.**

**DATE : 7<sup>th</sup> MAY 2026.**

**P. C. :**

1. Leave to amend. Amendment to be carried out within one week. Heard learned counsel for the applicant and learned APP for the State.

2. By this application the applicant takes exception to the Judgment and Order dated 06/03/2026 rendered by learned Additional Sessions Judge, Wai in Cr. Appeal No. 93 of 2023 arising out of judgment and order dated 17/03/2016 rendered by the learned Judicial Magistrate First Class, Mahabaleshwar in Sum. Cri. Case No. 30/2014 wherein applicant has been convicted for offence punishable under Section 138 of the Negotiable Instruments Act and seeks suspension of the sentence of Rigorous Imprisonment of one year and fine of Rs.1,78,000/ (Rs. One Lakh Seventy Eight

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Thousand only), in default to suffer Simple Imprisonment for six months.

3. Learned counsel for the applicant seeks suspension of the aforesaid sentence submitting that the applicant was on bail during the trial and has not misused the liberty. Hence, requested to allow the application.

4. It is contention of learned APP that prosecution has proved the case beyond the reasonable doubt. Both the Courts have rendered a well reasoned order, as such, no interference is warranted. Hence, requested to reject the application.

5. I have heard both learned counsel, perused impugned Judgment and Order. The applicant was on bail during the trial and has not misused the liberty. The sentence imposed upon the applicant is a short term sentence. Nonetheless, this Court would not be in a position to take up the present revision application for final hearing in the near future.

6. Hence, following order.

### **ORDER**

1. The application is allowed.

II. The substantive sentence of imprisonment imposed upon the applicant vide judgment and order dated 17/03/2016 rendered by the learned Judicial Magistrate First Class, Mahabaleshwar in Sum. Cri. Case No. 30/2014, is hereby suspended.

III. The applicant be enlarged on bail on furnishing PR Bond in the sum of Rs. 25,000/- (Rs. Twenty Five Thousand Only) and one solvent surety in the like amount before Judicial Magistrate First Class, Mahabaleshwar.

IV. Applicant shall mark his presence before the learned Judicial Magistrate First Class, Mahabaleshwar once in three months on the date assigned by the concerned Court.

7. The application is disposed of accordingly.

**[SACHIN S. DESHMUKH, J.]**