S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3409 OF 2026
IN
REVISION APPLICATION NO. 520 OF 2026

Devidas Dadaji Kuwar ...Applicant/s

VERSUS

Sharad Jagannath Pawar & Anr. ...Respondent/s

SONALI SATISH KILAJE Digitally signed by SONALI SATISH KILAJE Date: 2026.10.09 16:54:49 +0530

Mr. Jayendra Khairnar a/w. Ms. Gauri Kulkarni, Advocate for Applicant.
Smt. Ranjana D. Humane, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.
DATE : 8th OCTOBER, 2026.

P.C. :

1. Heard learned counsel for the applicant.

2. It is contention of the leaned counsel for the applicant that applicant was convicted under Section 138 of Negotiable of Instrument Act by Chief Judicial Magistrate Court, Malegaon, and sentenced to suffer two years of simple imprisonment and pay compensation of Rs.30 lakh along with interest. The learned Session Judge, Malegaon, has modified the conviction order and reduced the compensation amount from Rs. 30 lakh to Rs. 22,50,000/-. The cheque amount was of Rs.15 lakh and the applicant has deposited total Rs. 4,50,000/-. The applicant is behind bar from 31.08.2026. During trial the applicant was on bail. He has not misused the liberty and requested to allow the application and suspend the sentence. Learned counsel further submitted that in all four cheques were issued by the applicant. Total amounting to Rs.65 lakhs out of this amount the applicant has deposited Rs.19,50,000/- before the

Appellate Court and Rs.25 lakh is deposited before this Court. So, the applicant has deposited total Rs.44,50,000/- out of cheque amount of Rs.65 lakh. Learned counsel for the applicant on instructions submits that the applicant will deposit Rs.10 lakh within 15 days after releasing from jail and Rs.10 lakh within five months from today.

3. In view of above, the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of the Revision Application, on the following terms and conditions.

ORDER

(i) The substantive sentence imposed on the applicant is suspended till disposal of the Revision Application.

(ii) The applicant be released on bail on furnishing cash bail of Rs.20,000/- and P.R. Bond of the same amount.

(iii) The applicant shall furnish the surety amount of the same amount within one month after released from the jail.

4. Interim application stands disposed of.

5. All concerned to act on an authenticated copy of this order.

(SHIVKUMAR DIGE, J.)