



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.62 OF 2025**

Samarth Drupa Developers and Anr. ... Applicants
versus
State of Maharashtra and Anr. ... Respondents

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Mr. Jatin P. Karia (Shah) with Ms. Snehankita M. Munj, Ms. Dipti J. Karia, Ms. Shraddha Kamble, for Applicants.
Mr. A.D.Kamkhedkar, APP for State.
Mr. Mohammad A. Bastivi for respondent No.2 in all applications.

CORAM: N.J.JAMADAR, J.

DATE : 12 MARCH 2026

P.C.

1. Heard the learned Counsel for the parties.
2. These Applications assail the identical orders passed by the learned

Additional Sessions Judge in the Criminal Appeals preferred by the Applicants, thereby suspending the sentence imposed by the learned Magistrate upon the Applicants subject to deposit of 50% of the amount of the compensation awarded by the learned Magistrate.

3. When the Applications were listed before this Court on 21 January 2025, while granting interim relief, this Court has directed that the Applicants/Appellants shall deposit 20% of the amount of compensation, instead of 50% thereof, as directed by the learned Additional Sessions Judge.

4. Learned Counsel for the Applicants submits that in compliance with the said order, the Applicants have deposited 20% of the amount of compensation awarded by the learned Magistrate in each of the applications.

5. Since the Applicants have already deposited 20% of the amount of compensation, in the peculiar facts of the case, especially having regard to the age of the complainant and in the circumstances in which the cheques were allegedly drawn, this court is of the considered view that the said deposit of 20% of the compensation amount be construed as the compliance of the order under Section 148 of the Negotiable Instruments Act, 1881. At the same time, hearing of the Appeals deserves to be expedited.

6. The Applications, thus, stand partly allowed.

7. The impugned orders passed by the learned Additional Sessions Judge in each of the Applications stand modified as under :

(i) Instead of 50% of the amount of compensation awarded by the trial Court, The Applicants/Appellants in each of the Appeals shall deposit 20% of the amount of compensation awarded by the learned Magistrate.

(ii) The amount deposited by the Applicants pursuant to the order passed by this court shall be construed as the said deposit.

(iii) Learned Additional Sessions Judge seized with Criminal Appeal Nos.646 of 2024, 647 of 2024, 648 of 2024 and 649 of 2024 is requested to hear and decide the said Appeals as expeditiously as possible and preferably within a period of six months from the date of communication of this order.

(iv) The contentions of all the parties are kept open and while deciding the said Appeals, the learned Additional Sessions Judge shall not be influenced by any of the observations made in the impugned orders.

(v) Criminal Applications stand disposed.

(N.J.JAMADAR, J.)