

N.S.Kamble

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 2340 OF 2025
IN
REVN/232/2025**

Ms Ghanshyam Industries Through Its Partner Mr ... Applicant
Deven Parmar

Versus

Ms Parth Metals & Anr.

... Respondents

Digitally signed
by NILAM
SANTOSH
KAMBLE
Date:
2026.02.02
15:56:34
+0530

Mr.Pritam Runwal a/w Mr.Anil Khopde, Mr.S. Joshi and Mr.Hriday Karia, for the Applicant.

Ms.P.C. Shah, for Respondent No.1.

Mr.S.S. Pednekar, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 30th JANUARY, 2026

P.C. :

1. This is an application for suspension of sentence.

2. Heard learned counsel for the Applicant and the learned Additional Public Prosecutor.

3. The Applicant has been convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, ('NI Act' for

N.S.Kamble

short). The maximum sentence imposed on the Applicant is six months and pay fine of Rs.15 lakhs compensation, in default to suffer simple imprisonment (SI for short) for 6 months. The learned Trial Court has suspended the sentence during the appeal period and has granted interim bail to the Applicant.

4. During the trial the Applicant was on bail. The Applicant has deposited Rs.7 lakhs before this Court. It may take time to dispose of the Appeal. Hence, requested to allow the Application.

5. The learned APP and learned counsel for Respondent No.2 strongly objected to allow the Application on the ground that if the Applicant released on bail, he may abscond. The learned counsel for Respondent No.2 be permitted to withdraw deposited amount, and requested to reject the Application.

6. Considering the submission of both learned counsel as well as sentence imposed on the Applicant is short term sentence. During trial Applicant was on bail. He has not misused the liberty. The Applicant has deposited the cheque amount. Considering these facts, the sentence is suspended till final disposal of the Appeal.

7. The Respondent No.2 can file Application for withdrawal.

N.S.Kamble

8. The Application is disposed of in the following terms.

ORDER

(i) The substantive sentence of imprisonment awarded to the applicant is hereby suspended pending disposal of the appeal, subject to the applicant furnishing a PR bond in the sum of Rs.15,000/- with one or two sureties in the like amount.

(ii) The bail bonds to be furnished before the learned Additional Sessions Judge.

(iii) The Criminal Application is disposed of.

(SHIVKUMAR DIGE, J.)