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

CRIMINAL APPLICATION NO.253 OF 2026

Rajesh Savlaram Chikhalkar : Applicant
Versus
State of Maharashtra & Anr. : Respondents.

Mr. Babu Singh a/w Adv. Vikashchandra Mishra for the Applicant.

Mrs. P P Bhosale, APP for the Respondent/State.

Mr. Sunil Chandrakant Kadam – Respondent No.1 present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 25 March 2026

PC:-

1. Heard Mr. Babu Singh, learned Advocate for the Applicant, Mrs. P. P. Bhosale, learned APP for the Respondent/State and Mr. Sunil Chandrakant Kadam – Respondent No.2 in person.

2. Mr. Sunil Chandrakant Kadam states that he is an advocate by profession and the original complainant in Case No.1241/SS/2016. He states that he has been served with the notice issued by this Court and craves leave to appear in person. He tenders his photo identity card which is taken on record and marked as “X” for identification.

3. Mrs. P. P. Bhosale, learned APP for the Respondent/State, does not object to the request made by Mr. Sunil Chandrakant Kadam.

4. By the present Application the Applicant has sought for the following substantive relief :-

(a) Be please to extend the time to deposit 20% of the cheque amount as interim and ad-interim reliefs as per order dated 29.03.2025 in Criminal Misc. Application No.2367/2024, by a further period of four weeks in the interest of Justice.”

5. The facts relevant to the adjudication of the present Application are that the Applicant is an accused in Case No.1241/SS/2016. The Judicial Magistrate First Class, 07th Court, Dadar, Mumbai, by judgment and order dated 19 October 2024 convicted the Applicant herein for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881. Sentence of three months simple imprisonment along with compensation of Rs.8,79,000/- was also awarded.

6. The Applicant has filed Criminal Appeal bearing No.682 of 2024 before the Sessions Court at Greater Bombay. The Sessions Court at Greater Bombay has passed the following order on the application seeking suspension of sentence filed by the Applicant which is registered as Criminal M.A. No.2367 of 2024 :-

“Order

The impugned dated 19.10.2024 in C.C. 1241/SS/2016 by Ld. M. M. 07th Court, Dadar, Mumbai is hereby stayed subject to depositing 20% of compensation amount towards interim compensation within 60 days. If, the

conditional order is not complied then suspension would stand revoked/vacated automatically without further reference of this Court.

Hence Criminal Miscellaneous Application No.2367 of 2024 is disposed of accordingly.”

7. Mr. Babu Singh, learned Advocate for the Applicant, submits that it was on account of a personal difficulty that the deposit of 20% as ordered by the Sessions Court in Criminal M.A. No.2367 of 2024 could not be made within time, resulting in the Applicant being taken in custody. He submits that the Applicant as on date is in Arthur Road Jail. He submits that the Applicant has now arranged the amount and made the payment of Rs.175800/- (i.e. 20% of the compensation) to the Respondent No.2.

8. The Respondent No.2 who is present in Court admits the receipt of Rs.175800/- and tenders a copy of the pursis dated 23 March 2026 which is taken on record and marked as “X” for identification.

9. Mrs. P. P. Bhosale, learned APP for the Respondent/State, submits that though the order dated 29 March 2025 makes a reference to deposit of 20% of the compensation, it is silent as to whether same has to be deposited in the Court or paid to the Respondent No.2. She however submits that the Applicant having paid the amount of Rs.175800/- (20% of the compensation amount) which fact is admitted by the Respondent No.2, the time as granted in the order dated 29 March 2025 can be extended.

10. The Respondent No.2 states that he has no objection for extension of the time for the said deposit as the amount of Rs.175800/- is paid to him.

11. Considering the aforesaid facts as stated by Mr. Babu Singh, the learned Advocate for the Applicant, the submissions made by the Mrs. P. P. Bhosale, learned APP, the no objection given by the Respondent No.2, the amount of Rs.175800/- (20% of the compensation) being paid by the Applicant to the Respondent No.2 which is in terms of the order dated 29 March 2025, the time period of 60 days as was granted by the order dated 29 March 2025 stands extended till the date the payment was made.

12. In view of the payment of the amount of Rs.175800/-, there is a compliance with the order dated 29 March 2025 passed in Criminal M. A. No.2367 of 2024.

13. Mr. Babu Singh states that he would comply with the other requirements, if any, of furnishing bail/bond etc. for release of the Applicant.

14. In view of above, this Application is allowed in terms of prayer clause (a).

15. Criminal Application No.253 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)