



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPR) NO. 73 OF 2026
IN
CRIMINAL REVISION APPLICATION NO. 74 OF 2026

(M/s Kiran Agencies, Thr. its Partners

Vs.

State of Maharashtra & Anr.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. N.D. Khamborkar, Advocate for the Applicant/s.

Ms. R.V. Sharma, APP for the Non-applicant No.1/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 8th APRIL, 2026

1. By this Application, the Applicants are seeking suspension of sentence and releasing them on bail.

2. By preferring this Revision the Applicants have challenged the judgment and order of sentence passed by the Additional Chief Judicial Magistrate, Nagpur in S.C.C. No. 9853/2018, by which the Applicants are convicted for the offence punishable under Section 138 of the Negotiable Instruments Act and sentenced to suffer simple imprisonment till rising of the Court and also directed to pay the compensation of Rs. 49 Lakhs and the same was confirmed in Criminal Appeal No.90/2023 by the District and Additional Sessions Judge-9, Nagpur.

3. Heard learned Counsel for the Applicants, who invited my attention towards the impugned judgment and

submitted that he has many arguable points in the present Revision which are not considered by the Trial Court as well as First Appellate Court. He further submitted that, the Revision would take its own time for its final disposal. In the meantime, if the sentence is executed then the Revision would become infructuous. In view of that, he prays for execution of sentence and releasing the Applicants on bail.

4. I have perused the impugned judgment, perused the reasoning given by both the Courts and also considered the submissions made by the learned Counsel for the Applicants that he has many arguable points in the present Revision. Admittedly, the Revision would take its own time for its final disposal. In the meantime, if sentence is executed then the Revision would become infructuous.

5. In view of that, the Application for suspension of sentence deserves to be allowed. Accordingly, I proceed to pass the following order:-

ORDER

- i. Criminal Application (APPR) No. 73/2026, is hereby **allowed**.
- ii. The execution and implementation of the sentence passed in S.C.C. No. 9853/2018 and confirmed in Criminal Appeal No.90/2023, is hereby suspended till the disposal of the Revision.
- iii. The Applicants shall be released on bail on executing P.R. Bond in the sum of Rs.15,000/- each with one solvent surety in the like amount.

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1. Issue notice to the Non-applicants.
2. Ms. Sharma, learned APP, waives notice for the Non-applicant No.1/State and seeks time to file reply.
3. Call R & P.
4. List the matter after receipt of the R & P.

(URMILA JOSHI-PHALKE, J.)