

Order below Ex. no.5 in Criminal Appeal No. 96 of 2024.

1. The appellant has filed this application to suspend the sentence order passed against him pending this appeal and also prayed to release him on bail under the provisions of sec.389(1) of Cr.P.C. The appellant is convict of Criminal Case No. 1090 of 2019. Ld. Judicial Megistrate,Junagadh has passed an order convicting the appellant/accused and ordered sentence of two years simple imprisonment and to pay Rs.7,00,000/-towards compensation to the complainant. The appellant is on bail granted U/S 389(3) of the Cr.PC.
2. After having heard learned advocate for the appellant and considering the impugned judgment and contents of Appeal Memo, I am of the view to suspend the sentence passed in Criminal Case No. 1090 of 2019 and to grant bail to the appellant pending the appeal. However, it would be just to impose condition that the appellant shall deposit 20% i.e. Rs. 1,40,000/- of disputed Cheque amount, i.e. Rs.7,00,000/- in the Court within a period of 60 days from the date of this order. In view of above, I pass the following order :-

ORDER

1. This application at Exh.5 stands **allowed**.

2. For the reason recorded above, I hereby order to suspend sentence passed against the appellant/convict by the learned Judicial Megistrate Junnagadh on Dt.27/09/2024 in Criminal Case No.1090 of 2019 , pending this appeal on condition that the appellant/convict shall deposit 20% i.e. Rs.1,40,000/- of disputed cheque amount, i.e. Rs.7,00,000/-within 60 days of this order.

3. The appellant is ordered to be released on bail upon furnishing personal bond of Rs.10,000/- (Rupees Ten Thousand Only) along with one local surety of same amount to the satisfaction of the Court.

Signed and pronounced in open court today on this 21st day of October 2024.

Date : 21-10-2024.

Place : Keshod.

**I/C.ADDL. SESSIONS JUDGE,
JUNAGADH**