

IN THE CITY CIVIL AND SESSIONS COURT AT AHMEDABAD**20****CRIMINAL APPEAL NO. 306 OF 2017**

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ORDER BELOW EXH. 4

1. By way of this application, the applicant - original accused has urged that he has preferred the appeal against the order dated 15.03.2017 passed by the Additional Chief Metropolitan Magistrate (N.I. Act) Court No. 32, Ahmedabad in Criminal Case No. 3201408/2013 whereby the applicant - original accused is imposed the punishment of simple imprisonment for 6 months and is ordered to pay the fine of Rs. 5,000/- and in default in paying the fine, to undergo simple imprisonment for further 15 days. Pending hearing of the appeal, the applicant has urged the Court to suspend the impugned order and to grant him bail with the conditions that the Court may think fit.

2. The learned Advocate for the applicant has urged that the judgment delivered by the Additional Chief Metropolitan Magistrate, NI Court No. 32 on 15.03.2017 is illegal and against the mandatory provisions of law. Therefore, it is urged by the learned Advocate to grant this application pending hearing of the appeal.

3. The learned A.P.P. for the opponent State has appeared before the Court and has objected this application and has urged not to allow this application.

4. Looking to the submission of all the sides and documents produced on record and considering the facts and circumstances of the case, this application is required to be allowed, Hence, I pass the following order.

--: ORDER :-

- (i) This application is allowed.
- (ii) The order dated 15.03.2017 passed by the Additional Chief Metropolitan Magistrate Court No. 32, Ahmedabad in Criminal Case No. 3201408/2013 stands suspended till final disposal of the appeal.
- (iii) Pending hearing of the Criminal Appeal, the applicant - original accused Pradipbhai Ramshankar Soni shall be released on bail, on his depositing 20% of cheque amount before the Nazir of this Court and also on his furnishing a personal bond of Rs. 10,000/- (Rupees Ten Thousand Only), with one surety of the like amount, on the following conditions.
 - (A) The applicant shall mark his presence before the Appellate Court on every date of hearing.
 - (B) The applicant shall not leave the local limits of Gujarat without prior permission of this Court.

Yadi accordingly.

Pronounced in the open Court on this 15th day of April, 2017.

Date : 15/04/2017
Place : Ahmedabad.

(Ashok Ajitbhai Nanavati.)
Additional Sessions Judge,
City Sessions Court No. 20,
Ahmedabad City.
(Unique ID Code : GJ00473)

bkpandya