

KAUK010007702025



Case called out.

Sri. RVB., advocate files vakalath for Respondent society.

Heard the Counsel for Appellant and Respondent on delay application.

Perused the affidavit enclosed to the application and also grounds in the appeal memo.

The Appellant has stated in the affidavit that due to ill health and financial crises, he could not file this appeal and hence there is a delay in filling the Appeal.

The Appellant has shown sufficient reason to condone the delay. Hence the delay of 97 days in filling the appeal is hereby condoned.

The Appellant/Accused has filed this Appeal challenging the Judgment of conviction dated 20-01-2025 passed by the Senior Civil Judge & Prl. JMFC, Kumat, in C.C.No.180/2022.

Along with appeal, the Appellant has filed application under Section 430 of BNSS, seeking suspension of sentence passed in C.C.No.180/2022.

Perused the application, memorandum facts and grounds in the appeal memo.

The Senior Civil Judge & Prl. JMFC, Kumat in C.C.No.180/2022 dated 20-01-2025 has convicted the Appellant/Accused and sentenced to

pay a fine of Rs. 1,41,500/- and in default of payment of fine amount, the Accused shall undergo simple imprisonment for a period of one year.

The Appellant has made out sufficient grounds for suspension of sentence. Hence the following

ORDER

The operation of the sentence of conviction passed by the Senior Civil Judge & Prl. JMFC, Kumat in C.C.No.180/2022 dated 20-01-2025, is hereby stayed for a period of six months, subject to pay of fine of Rs. 5,000/- within two weeks and to deposit 20% of the cheque amount within two months from this order, before the Trial Court and to offer bail on personal bond of Rs.15,000/- with one surety for likesum to the satisfaction of the Trial Court.

Matter referred to Lok Adalath on 12-07-2025 and if not settled, call on 23-07-2025.

Issue notice to both parties for Pre- Conciliation by 08-07-2025

Sd/-

II Addl., District & Sessions Judge,
U.K., Karwar.