

[CNR MHAK01-000384- 2026]

Criminal M.A. No.15/2026
Vilas Vs. Sanmitra & Anr.

ORDER BELOW EXH.5

It is an application under section 430 of Bharatiya Nagarik Suraksha Sanhita, 2023 for suspension of sentence.

2] It is contended by the applicant that applicant has been convicted under section 138 of Negotiable Instrument Act, 1880 and directed to suffer rigorous imprisonment for one month and to pay a fine of ₹ 2,35,732/-, in default to suffer further simple imprisonment for two months in SCC No. 3309/2008 dated 15th January, 2019 by the Ld. Judicial Magistrate First Class [Court No. 1], Akola.

3] It is contended that the delay has been caused to file an appeal. Therefore, application has been filed for condonation of delay alongwith the present application for suspension of sentence.

4] It is contended that in pursuance of the order passed by the Ld. Trial Court, conviction warrant has been issued, and on 12th January, 2026 applicant is sent to the jail. Since then, the applicant is behind the bar.

5] It is contended that applicant is ready to pay 20% of the fine amount and ready to furnish surety as directed by the Court.

6] After hearing the Ld. Advocate of the applicant and on perusal of the record, it appears to me that there is delay of 7 years in filing the present appeal alongwith delay condonation application. Therefore, considering this fact, following order is passed.

ORDER

- 1] The application (Exh.5) is allowed.

- 2] The substantive sentence passed in SCC No. 3309/2008 dated 15th January, 2019 by the Ld. Judicial Magistrate First Class [Court No. 1], Akola is hereby suspended, subject to following conditions-

- 3] The applicant shall deposit 50% of the fine amount and shall furnish personal bond of ₹ 25,000/- and surety bond of like amount.

[S.B.Kachare]
Sessions Judge, Akola.
Date: 23.01.2026.

CERTIFICATE

I hereby certify that the contents of this PDF file are word to word as per the original order.

Name of Steno	:	J.A.Morey
Name of Court	:	Hon'ble PDJ Court, Akola.
Date of order	:	23.01.2026.
Order signed by the P.O. on	:	23.01.2026.
Date of uploading PDF on	:	23.01.2026.