

Criminal Appeal No.05/2024.
Prakash Raghunath Gadam Vs. Nirmal Ujjwal Credit Co-Society
Ltd. Nagpur.
CNR No. MHAK05-000080-2024.

ORDER BELOW EXH.04.
(Date 09.02.2024)

As I am passing this order just below and adjoining to this application itself, I need not reproduce its contents.

2] On 31.01.2024, in Summons Criminal Case Number (SCC No.) 1827/2019, the learned Judicial Magistrate First Class [Court No.1], Akot, Dist. Akola, convicted present appellant accused Prakash Raghunath Gadam, for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, and sentenced him with simple imprisonment for 02 (Two only) months with compensation of Rs.01,46,000/- (Rs. One lakh fourty six thousands only) and in default of payment of compensation amount, the accused is directed to undergo simple imprisonment of further 01 (One only) month.

3] Against that conviction, present appeal is proposed. The learned Trial Court had enlarged the accused/appellant on bail during the trial. Out of total compensation amount, the appellant accused has deposited total Rs.29,200/- (Rupees Twenty Nine Thousand and Two Hundred only) on 31.01.2024 i.e. on the date of the judgment itself. The receipt is on record. The original complainant has no any objection in that regard.

4] Throughout the trial, the appellant accused was on bail. Considering the facts, the sentence of imprisonment with which the appellant accused is convicted, deserves to be suspended till the final decision of the present appeal.

5] Hence, this application Exh.04 is hereby allowed. The conviction judgment dated 31.01.2024, in SCC No. 1827/2019, passed by the learned Judicial Magistrate First Class [Court No. 1], Akot is hereby stands suspended till final decision of the present appeal.

6] The appellant/accused be released on bail on furnishing P.R. Bond of Rs.15,000/- (Rs. Fifteen Thousands only) with one solvent surety in the like amount.

(Chakor Shrikrishna Baviskar)
Additional Sessions Judge,
Akot, Dist. Akola.

Date : 09.02.2024.