

Criminal Appeal No.34/2024.
Dadarao Motiram Darokar -Vs- Matoshri Nagari Sahkari Patsanstha Ltd.
CNR No. MHAK05-000272-2024.

ORDER BELOW EXH.05.
(Date 07.05.2024)

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

2] On 05.04.2024, in Summons Criminal Case Number (SCC No.) 219/2018, the learned Judicial Magistrate First Class (Court No. 2), Telhara, Dist. Akola, convicted present appellant accused for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, and sentenced him with simple imprisonment for 01 (One only) month and also with compensation of Rs. 70,000/- (Rupees Seventy Thousand only).

3] Against that conviction, present appeal is proposed. The learned Trial Court had enlarged the accused/appellant on bail during the trial. 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.

4] Hence, this application Exh.05 is hereby allowed. The conviction judgment dated 05.04.2024, in SCC No.219/2018, passed by the learned Judicial Magistrate First Class (Court No.2), Telhara, Dist. Akola stands suspended till final decision of the present appeal, on the condition that, the accused/appellant shall deposit 10% of the total compensation amount in the court.

5] The appellant/accused be released on bail on furnishing P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand only), with a surety in the like amount and on depositing Rs. 7000/- (Rupees Seven Thousand only), towards 10 % of the compensation for the time being.

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

Date : 07.05.2024.