

ORDER BELOW EXT. 4 IN CRI. APPEAL NO. 52/2025
(Sagar Vs. Dr. Gayatri)

1. The appellant/accused has preferred the present appeal against the impugned judgment and order in SCC No. 2627/2015, dated 13.10.2025 passed by learned Jt. Judicial Magistrate, F.C., Latur.

2. The present appellant has been held guilty of the offence punishable under Section 138 of the Negotiable Instruments Act and sentenced to suffer simple imprisonment of 1 year and to pay compensation of Rs. 11,00,000/- as per section 357(3) of the Cr.PC., in default to suffer S.I. for 3 months.

3. The appellant has filed application Exh. 4 for suspension of sentence under Section 389 of Code of Criminal Procedure and for releasing him on bail. Considering the grounds of appeal it is necessary to decide the appeal on merits. Therefore, during pendency of the appeal it is necessary to suspend the substantive sentence of imprisonment imposed by the Ld. Trial court against the accused on certain conditions. In view of S. 148 of N.I. Act in this situation the appellant shall deposit 20% amount of the compensation granted by Ld. Trial Court in the impugned order. The appellant is to be released on bail of S.B. & P. B. of Rs.30,000/- each. Hence, I pass the following order.

ORDER

1. Applications ext. 4 is hereby allowed.
2. The substantive sentence of imprisonment passed against the appellant in SCC No. 2627/2015, dated 13.10.2025 is suspended till the final disposal of appeal on condition that the appellant shall deposit **20%** of the compensation amount within sixty days from today.
3. The appellant be released on bail of S.B. & P.B. of Rs.30,000/- each.

4. The appellant is directed to attend the dates of hearing of the appeal regularly till its conclusion.

5. Inform the learned Trial Court accordingly.

Date: 28.11.2025.

(R. R. Bhosale)
Additional Sessions Judge-1, Latur.