

Order Below Suspension of Sentence

Today the accused was held guilty for the offence punishable under Section 138 of the Negotiable Instruments Act. After recording the finding of conviction, the matter has been heard on the point of sentence.

1. After conclusion of submission on sentence, the accused was directed to remain present in Court for pronouncement of order of sentence. However, at that stage, learned advocate for the accused submitted that the accused would return within a short time. Despite such submission, the accused has remained absent and has not appeared before this Court till the rising of the Court.
2. Meanwhile, an application has been moved on behalf of the accused seeking suspension of sentence and grant of bail under Section 389 of the Code of Criminal Procedure.
3. It is pertinent to note that the accused, after having been convicted, has deliberately remained absent and has not submitted to the jurisdiction of this Court. The conduct of the accused in absconding immediately after conviction disentitles him from any discretionary relief.”
4. The relief of suspension of sentence is discretionary in nature and can be granted only when the accused is present before the Court and submits himself to its jurisdiction. In the present case, since the accused is absent and has not surrendered, this Court is not inclined to exercise such discretion.
5. In view of the above facts and circumstances, I pass following order

ORDER

1. The application for suspension of sentence and for time to file bail is hereby rejected.
2. Issue Conviction Warrant against the accused .

Place : Ahmedpur.
Date : 30.03.2026.

Sd/-
(Megha C. Hasge)
Judicial Magistrate, F.C.
Ahmedpur