

ORDER BELOW EXH. 04 IN CRIMINAL APPEAL NO.11/2024
Jaker Nizam Shaikh Vs. The Peoples Multi-State Co-op. Ltd.

Heard Ld. Counsel on behalf of appellant and perused the application. This application is filed on behalf of appellant for the purpose of suspending the sentence which imposed on him by way of passing judgment in S.C.C.No.1117/2015 by Ld. 3rd JMFC court, Osmanabad/Dharashiv on 19.12.2023. Ld. Concern JMFC court held guilty to appellant for the offence under section 138 of NI Act and sentenced him for the said offence 03 months simple imprisonment and also directed to pay fine sum of Rs.1,42,525/- and in default of payment of amount, accused shall suffer further SI for a period of three month, accused is also directed to pay Rs.5000/- as costs of prosecution to complainant, in default of costs, to suffer simple imprisonment of 30 days.

2. Thus, considering the grounds as raised in appeal memo, at this stage without hearing both sides Ld. Counsels, I am unable to held that, the order of sentenced which passed by Ld. JMFC, court is legal and proper. Hence, for the purpose of testifying/verifying the legality of the sentence which imposed by Ld. Trial court require to gone through entire record and proceeding of the said Summary Criminal Case alongwith judgment of conviction which passed by concern Ld JMFC court. So also require to heard both sides Ld. Counsels at length on merit. Hence, at this stage, in the interest of just and for proper adjudication of this appeal proceeding, the sentenced which imposed on appellant by concern Ld. JMFC court on 19.12.2023 by way of passing judgment in S.C.C.No.1117/2015 is hereby suspended till final disposal of this appeal on condition that, appellant is directed to furnish P.B. and S.B. of Rs.15,000/- and regularly present before this court for further dates of this appeal proceeding. Thus, the

application vide Exh.4 is hereby allowed.

3. Appellant/original accused is directed to deposit 20 % of compensation/fine amount in view of Section 148 of N.I. Act.

Osmanabad
Date :-08.09.2025.

[S.G. Thube]
Addl. Sessions Judge, Osmanabad

CERTIFICATE

I affirm that, the contents of this P.D.F. file judgment/ order are same, word to word, as per the original Judgment.

Name of Stenographer	---	L.S.Patil Stenographer Grade-I
Court	---	District Court-4 & Addl. Sessions Court, Osmanabad.
Date	---	08.09.2025
Order signed by the Presiding Officer on	---	08.09.2025
Order uploaded on	---	08.09.2025