

MHRG010011142023



Criminal Appeal No.16/2023

Bharat Shantaram Patil

Vs.

Nishrin Khojema Bharmal & Anr.

ORDER BELOW EXH. 4

Heard advocate Shri. V. V. Gondkar for the appellant.

02. This is an application for suspension of sentence of conviction under section 138 of N.I. Act in S.C.C. No.884/2018 where in Ld. J.M.F.C., Pen by judgment dated 17/06/2023 was pleased to convict the appellant and sentenced him to pay compensation of Rs.9,93,650/- within one month from the date of order in default R.I. for six months.

03. Advocate Shri.Gondkar submitted that when the trial commenced accused was on bail before Trial Court. He has good ground to canvas before this Court and prayed for suspension of the sentence.

04. Considering the nature of the crime for which the accused is convicted, the sentence passed by the Trial Court I find this appeal deserves to be admitted for hearing. Pending of appeal, the sentence need to be suspended and accused need to be released on bail. Hence following order.

ORDER

Pending hearing of the appeal the sentence passed in S.C.C. No.884/2018 passed by J. M. F. C., Pen is suspended subject to depositing 25% of amount of compensation awarded by the Trial Court, by the appellant in the Court within one month from the date of order. Accordingly accused/appellant is released on bail on his furnishing P.R. Bond of Rs. 15,000/- with surety of like amount.

Alibag.
Dt.: 18/07/2023

(A. Y. Thatte)
I/C- Additional Sessions Judge,
Raigad-Alibag.