

MHRG010013152025



**ORDER BELOW EXH. 04 In Cri. Appeal No.32/2025**  
(Vipin Vs. Kailas & Ors.)

Upon hearing the submission and perusing the records in Cri. Appeal filed by appellant **Vipin Harishchandra Mhatre** against judgment of the court of Ld. Chief Judicial Magistrate, Raigad-Alibag. In S.C.C. **No.946/2022** whereby the appellant was convicted u/s.138 of the Negotiable Instruments Act and sentenced to suffer S.I. for two months and also directed to pay the compensation of Rs.3,00,000/- in default S.I. for 15 days, this court finds as per follows :

1. That the appellant has made out the *prima faice* case for suspension of sentenced pending appeal.
2. That it is just and proper to suspend the sentence during the pendency of this appeal, subject to certain condition to secure the interest of justice.
3. That it is appropriate to direct the appellant to deposit 20% of the cheque amount involved in the case to secure the respondent's interest, pending final disposal of the appeal

Therefore, in exercise of the power conferred under Code of Criminal Procedure r/w. Section 148 of Negotiable Instruments Act, it is ordered that :

- i. The sentence awarded to the appellant by the Ld.

Chief Judicial Magistrate Raigad Alibag in S.C.C No.946/2022 u/s.138 of Negotiable Instruments Act is hereby suspended.

**ii.** Appellant shall be released on bail upon furnishing personal bond of Rs.60,000/- with surety of like amount and depositing 20% of the cheque amount involved in the case within 15 days from today.

**ii.** The amount deposited shall not be disbursed without the prior permission of this court.

**iv.** Order shall be communicated to parties for necessary action.

Alibag.  
Dt.: 05/12/2025

Sd/-  
(S.D.Bhagat)  
Additional Sessions Judge,  
Raigad-Alibag.