

**: ORDER BELOW EXH.22 IN CRIMINAL APPEAL NO.1/2023 :**  
**(CNR No. MHRG15-000013-2023)**  
(Passed on 07.10.2025)

- 1) This is an application seeking release of the applicant-appellant on bail.
- 2) It is contended that the appellant-accused filed appeal against the Judgment and Order passed by the Ld. Judicial Magistrate of the First Class, Mahad in Summary Criminal Case No.34 of 2016, for the offence under section 138 of Negotiable Instruments Act.
- 3) The applicant-appellant deposited part amount from Rs.74,000/-, as directed by the Court. However, remaining Rs.25,000/- could not be paid and the Court issued warrant against the appellant. Accordingly, he came to be arrested and his bail application came to be rejected by this Court.
- 4) It is submitted that the appellant is ready to furnish surety and abide by all the conditions. He would not disobey any order of the Court. Hence, the application may be allowed.
- 5) Ld. Advocate for the respondent opposed the application by filing say Exh.23. It is submitted that the applicant-appellant deliberately disobeyed the Court. Hence, the application may be rejected, unless total amount Rs.1,74,000/- is deposited in the Court.

6) Heard both the sides. They iterated the contentions made in the application and say, respectively.

7) It is seen that on making the present appeal, the appellant had been directed to deposit the amount and he partly paid it. However, he did not furnish surety and therefore, Non-Bailable Warrant came to be issued against him. The bail application (Exh.18) came to be rejected on 10.04.2025, observing that the applicant absconded, he has not obeyed the bail order.

8) It is seen that since the rejection of the bail application, on 10.04.2025 the applicant-appellant has been in the custody. He has been sentenced to undergo imprisonment for one year and to pay compensation Rs.1,74,000/-.

9) No doubt, the applicant-appellant did not fully comply with the order of this Court and, therefore, my Ld. Predecessor took him in the custody. However, it can be said that the applicant-appellant must have learnt a lesson and understood the consequences of non-compliance of the order.

10) The applicant has also filed application (Exh.24) through his Advocate and thereby undertook to furnish surety and pay remaining amount of Rs.25,000/- as directed by the Court.

11) In view of above mentioned circumstances, the applicant is entitled to get one more opportunity to comply with the order of the Court. Incarceration for about 6 months is

sufficient at this stage. Hence, the following order:-

**: ORDER :**

- 1) The application is allowed.
- 2) Applicant-appellant **Amol Ramdas Nimbalkar**, be released on bail on executing Personal Bond of Rs.25,000/- (Rs. Twenty five thousand only), with a surety in the like amount, and also to comply with payment of remaining Rs.25,000/-, as undertaken by the way of application (Exh.24).

Mangaon.  
Date: 07.10.2025.

(S. T. Bhalerao)  
Additional Sessions Judge,  
Mangaon, Dist. Raigad.