

MHRT040000312025



**ORDER BELOW EXH. 5 IN CRIMINAL M.A.No.2/2025**

Hamid Ibrahim Tambe – Applicant

Vs.

State of Maharashtra etc.2 Respondent

The application is to suspend the sentence passed in S.C.C.No.148/2021 dated 21-12-2024 by Learned JMFC Khed. The applicant is sentenced to pay compensation of Rs.80,000/-. Section 148 of the Negotiable Instruments Act, 1881 gives the appellate Court the power to order a deposit of minimum of 20% of the fine or compensation awarded by the trial Court. The 20% amount is Rs.16,000/- as compensation is Rs.80,000/-. It is also submitted that the applicant due to illness could not prefer appeal to set aside the order of sentence. Considering the submission the execution of sentence dated 21-12-2024 in S.C.C.148/2021 must be suspended till pendency of this delay condonation application. In result I pass following order.

**ORDER**

1. Application is allowed.
2. The execution of sentence dated 21-12-2024 in S.C.C.

148/2021 of learned JMFC, Khed be suspended till pendency of this delay condonation application as per Section 430 of the BNSS subject to condition to pay 20% of compensation amount, which is Rs.16,000/- (Rs. Sixteen thousand only).

3. The Assistant Superintendent of JMFC Court, Khed to comply and report if amount Rs.16,000/- (Rs. Sixteen thousand only) is not paid as directed within two months from the date of this order.

Khed.

Date 23/01/2025

(P. S. Chandgude)

Addl.Sessions Judge, Khed

### Certificate

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

Name of the English Stenographer	Mrs.V.S.Kulkarni
Name of the Court	Mr. P. S. Chandgude, Additional Sessions Judge Khed, Dist. Ratnagiri.
Date of Pronouncement	23.01.2025
Judgment/order Signed On	23.01.2025
Judgment/order Uploaded On	23.01.2025