

ORDER BELOW Exh.1 & 5 IN CRI.APPEAL NO.4/2025
(Devidas Kshirsagar Vs. Suresh Sawant)
(CNR No.MHSN170002012025)

1. In Criminal Appeal against conviction and sentence, the appellant filed the application for suspension of sentence. Ld.Advocate for the appellant argued at length to submit that he has good case on merit. The appellant is convicted for offence punishable under section 138 of Negotiable Instruments Act and sentenced to suffer 3 months S.I. and to pay compensation of Rs.2,25,000/- after the appeal period is over and in default of payment of compensation, he shall suffer simple imprisonment for one month. Considering the nature of case and points in appeal, it is to be held that there is arguable case. Therefore, the sentence can be suspended on some conditions. In view of the amended provisions of Negotiable Instruments Act, the appellant can be directed to deposit 20% of the compensation amount. It is also necessary to take bail from the appellant. Accordingly, I pass the following order :-

ORDER

1. The sentence imposed by Judgment dt. 09.01.2025 by Ld.Judicial Magistrate, First Class, Sangli in SCC No.672 of 2020 is hereby suspended till disposal of the appeal on following conditions :-
 - a) The appellant shall furnish PR and SB of Rs.15,000/-.
 - b) The appellant shall deposit 20% of the compensation amount of Rs.2,25,000/- within 30 days.

2. The appellant shall submit private paper book.
3. Issue notice of the appeal to the respondent returnable on 10.03.2025.
4. Call R & P.

Vita
dt.13.02.2025

(R.R.Bhagwat)
Additional Sessions Judge,Vita.

