

Cnr No. MHTH010005962026

MR. MIMIT AJIT BHUTA



Vs.

M/S.ATLAS INFRA CONSTRUCTION
LLP

**ORDER BELOW EXH. 05 & 06 ON APPLICATION FOR
SUSPENSION OF SENTENCE & BAIL**

This is an application filed by the appellant for suspension of sentence and bail.

BRIEF FACTS :-

2] The appellant was convicted under Section 138 of the Negotiable Instruments Act, 1881 by the Additional Chief Judicial Magistrate, Court No. 9, Thane in S.C.C. No. 9190/2019 dt. 01/01/2026 and sentenced to suffer simple imprisonment for the period of one year and compensation in the sum of Rs. 40,00,000/- with a default sentence of simple imprisonment for three months. Being aggrieved, the appellant has preferred this appeal and simultaneously filed an application for suspension of sentence under Section 389 (1) Cr.P.C.

3] SUBMISSIONS BY APPELLANT'S COUNSEL :-

The learned counsel for the appellant has submitted that the appeal will take time to decide and therefore the sentence may be suspended and also prayed for grant of bail.

4] This Court finds that while the recent Hon'ble Apex Court Judgments have introduced flexibility in the application of

Section 148. Hence, I proceed to pass the following order.

ORDER

The application for suspension of sentence is **ALLOWED** subject to the following conditions:

- 1) The appellant shall deposit 20% of the compensation amount awarded by the trial court within one month from today.
- 2) The appellant shall furnish a personal bond of Rs. 50,000/- with one surety of like amount.
- 3) The appellant shall not tamper with evidence or influence witnesses.
- 4) Failure of non-compliance of order within stipulated time, the order of suspension shall stand automatically vacated.

Date- 13.03.2026.

(V. L. Bhosale)
Additional Sessions Judge, Thane.