

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 1032 of 2019**

- Amardas Matre son of Bharat Matre, aged about 50 years, resident of village Pousari, P.S. Bhatapara Gramin, District Balodabazar- Bhatapara (C.G.)

---- Applicant**Versus**

- Arun Kumar S/o N.K. Verma, aged about 44 years, resident of Balbhadra Ward, Near Pani Tanki, Bhatapara, P.S. Bhatapara City, District Baloda Bazar- Bhatapara (C.G.)

---- Respondent

28/08/2019	Mr. A.P. Sharma, counsel for the Applicant. Heard on admission Issue notice to respondent on admission. PF within one week. Call for the record of the Court below. Also, heard on I.A. No. 1/2019, application for suspension of sentence and grant of bail. By the impugned judgment dated 07.08.2019, passed by the Additional Sessions Judge Bhatapara District Balodabazar Bhatapara (C.G.), in criminal Appeal No. H-36/2018, arising out of judgment dated 28.07.2018 passed by the learned Judicial Magistrate First Class, Bhatapara, District Balodabazar, (C.G.) in Criminal Case No. 424/2014, the applicant stand convicted under Section 138 of Negotiable Instrument Act and sentenced him to undergo S.I. for 6 months with fine of Rs. 2,00,000/- (2 lakhs) plus default stipulation.	

Learned counsel for the applicant submits that the applicant is in custody since 07.08.2019 and he is not in a position to pay full compensation amount. He prays that the sentence imposed upon the applicant may be suspended, the amount of compensation may be reduced or exempted and he may be released on bail.

Considering the facts and circumstances of the case, particularly considering that the present applicant is in jail and disposal of the instant revision is likely to take time, it is directed that on deposit of 30% of the fine amount of Rs. 2,00,000/- (2 lakhs) before the trial Court within one month from the date of receipt of this order and on furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court, the jail sentence imposed upon the applicant and the sentence of deposit of the remaining 70% of the compensation amount shall remain suspended and he shall be released on bail for his appearance before the trial Court as and when directed by the said Court.

Accordingly, I.A. No. 1/2019, application for suspension of sentence and grant of bail is allowed.

List this case after service of notice.

Sd/-
(Rajani Dubey)
Judge