

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -
NEGOTIABLE INSTRUMENT ACT) NO. 31 of 2026**

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SARALA MITULBHAI SURESHBHAI

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR VICKY B MEHTA(5422) for the Applicant(s) No. 1

MR PRANAV DHAGAT APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE GITA GOPI**Date : 05/05/2026****ORDER**

1. By way of this application, the applicant - revisionist challenges the judgment of conviction and sentence dated 28.08.2024 passed by the learned Additional Judicial Magistrate (First Class), Surendranagar in Criminal Case No.2488 of 2023 under Section 138 of the Negotiable Instruments Act, 1881. The above sentence was challenged by way of an appeal and the same was confirmed on 18.12.2025 by the learned Sessions Judge, Surendranagar in Criminal Appeal No.226 of 2024.

2. Learned advocate for the applicant states that the revision has been raised against the concurrent finding of conviction and sentence. Learned advocate for the applicant has produced on record the receipt of 20% of cheque amount, deposited before the Nazir of the appellate Court.

3. Learned Additional Public Prosecutor prayed that no discretion may be exercised in favour of the applicant.

4. Taking into consideration the facts and circumstances of the case and when 20% of the cheque amount has been deposited, and when the revision application will take its own time to conclude, the order of sentence requires consideration. Hence, **Rule**.

5. The sentence imposed upon the applicant - revisionist vide judgment of conviction and sentence dated 28.08.2024 passed by the learned Additional Judicial Magistrate (First Class), Surendranagar in Criminal Case No.2488 of 2023, which was upheld and confirmed on 18.12.2025 by the learned Sessions Judge, Surendranagar in Criminal Appeal No.226 of 2024, shall remain suspended pending hearing and final disposal of the present Revision Application and the applicant-revisionist herein is ordered to be released, if not required in any other case, on bail on executing a personal bond of Rs.10,000/- (Rupees Ten Thousand Only) with one surety of the like amount to the satisfaction of the trial Court and subject to the conditions that the applicant-revisionist shall;

[a] pursue this Revision Application;

[b] not take undue advantage of liberty or misuse liberty;

[c] not leave India without prior permission of this Court;

6. Direct service is permitted. **Registry to communicate this order to the concerned Court/authority by Fax or Email forthwith.**

(GITA GOPI,J)

Pankaj/18 (suppl.-I)