

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -
NEGOTIABLE INSTRUMENT ACT) NO. 31 of 2025**

**With
CRIMINAL MISC.APPLICATION (MODIFICATION/DELETION OF
CONDITION) NO. 1 of 2025
In R/CRIMINAL REVISION APPLICATION NO. 31 of 2025**

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VIJAYKUMAR SANTOSH KUMAR SHAHU

**Versus
STATE OF GUJARAT & ANR.**

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Appearance:

MR DAX K SOLANKI(12696) for the Applicant(s) No. 1
DS AFF.NOT FILED (N) for the Respondent(s) No. 2
MS JYOTI BHATT APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE GITA GOPI

Date : 24/03/2026

ORDER**ORDER IN CR.MA NO.01 OF 2025:**

1. Learned Advocate Mr. Dax Solanki submitted that the applicant had already deposited 20% of the cheque amount but had shown his willingness to deposit Rs.4,80,000/-, the remaining cheque amount. Advocate Mr. Solanki stated that at present, the applicant is facing financial crunch and the total cheque amount, though he had shown his willingness could not be paid in time.

2. Learned Advocate Mr. Dax Solanki has also referred to the decision of the Apex Court in the case of **Jamboo Bhandari**

v. M.P. State Industrial Development Corporation Ltd. And Others reported in **(2023) 10 SCC 446** to submit that it is not mandatory to deposit the total of the cheque amount and if the condition of the applicant does not remain conducive, then Advocate Mr. Solanki submitted that the Court would have discretion to modify the order so passed.

3. Having considered the observation made and submission raised and when 20% of the cheque amount has already been deposited, the condition of the applicant depositing Rs.4,80,000/- within week from the date of the order before the trial Court is modified and the order of payment of Rs.4,80,000/- is at present deleted, subject to the change of circumstances and on the final hearing of the revision application.

4. In the result, the application is partly allowed.

ORDER IN CR.RA NO.31 OF 2025:

In view of the above order, the order dated 21.01.2025 is made absolute.

PARMAR KRISH/8

(GITA GOPI,J)