

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -
NEGOTIABLE INSTRUMENT ACT) NO. 662 of 2026**

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BABUBHAI JUSABBHAI LAKHVA

Versus

STATE OF GUJARAT & ANR.

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Appearance:

APURVA K JANI(7057) for the Applicant(s) No. 1

MR BHARGAV PANDYA APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE GITA GOPI**Date : 12/03/2026****ORAL ORDER**

1. By way of this application, the applicant – revisionist challenges the judgment of conviction and sentence dated 08.05.2024 passed by the learned Additional Chief Judicial Magistrate, Surendranagar in Criminal Case No.3359 of 2021 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 01.12.2025 by the learned Principal District & Sessions Judge, Anand in Criminal Appeal No.10 of 2025.

2. Learned advocate Mr. Apurva K.Jani for the applicant states that the revision has been raised against the concurrent finding of conviction and sentence. Advocate Mr. Jani has referred to the observation made in paragraph no.34 of the Criminal Appeal No.10 of 2025 and has relied upon Exh.27, the undertaking before the Chief Judicial Magistrate, which

affirms that Rs.60,000/- has been paid by the accused to the complainant. Advocate Mr. Jani further referred to Paragraph No.33.2, about the purshis Exh.23.

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 an amount of Rs.60,000/- has been paid, 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 08.05.2024 passed by the learned Additional Chief Judicial Magistrate, Surendranagar in Criminal Case No.3359 of 2021, which was upheld and confirmed on 01.12.2025 by the learned Principal District & Sessions Judge, Anand in Criminal Appeal No.10 of 2025, shall remain suspended pending hearing and final disposal of the present Revision Application and the applicant-revisionist herein is ordered to be released 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. If breach of any of the above conditions is committed, the Sessions Judge concerned will be free to issue warrant or take appropriate action in the matter.

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

(GITA GOPI,J)

Pankaj/24