

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -
NEGOTIABLE INSTRUMENT ACT) NO. 560 of 2026**

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PRAJAPATI VITTHALBHAI VARVABHAI

Versus

CHAUDHARI DILIPBHAI VELJIBHAI & ANR.

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Appearance:

MR KALPESH M PANDIT(2713) for the Applicant(s) No. 1

MS JYOTI BHATT APP for the Respondent(s) No. 2

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CORAM:HONOURABLE MS. JUSTICE GITA GOPI**Date : 23/03/2026****ORAL ORDER**

1. By way of this application, the applicant - revisionist challenges the judgment of conviction and sentence dated 15.07.2024 passed by the learned Additional Chief Judicial Magistrate, Visnagar in Criminal Case No.1257 of 2020 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 11.02.2026 by the learned 3rd Additional Sessions Judge, Visnagar in Criminal Appeal No.164 of 2024.

2. Learned advocate Mr. Kalpesh M.Pandit for the applicant states that the revision has been raised against the concurrent finding of conviction and sentence. Advocate Mr. Pandit submit that 20% of cheque amount deposited before the Sessions 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 15.07.2024 passed by the learned Additional Chief Judicial Magistrate, Visnagar in Criminal Case No.1257 of 2020, which was upheld and confirmed on 11.02.2026 by the learned 3rd Additional Sessions Judge, Visnagar in Criminal Appeal No.164 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 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.

Pankaj/51

(GITA GOPI,J)