

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -
NEGOTIABLE INSTRUMENT ACT) NO. 876 of 2026****With****R/CRIMINAL REVISION APPLICATION NO. 877 of 2026****With****R/CRIMINAL REVISION APPLICATION NO. 878 of 2026****With****R/CRIMINAL REVISION APPLICATION NO. 879 of 2026****With****R/CRIMINAL REVISION APPLICATION NO. 880 of 2026****With****R/CRIMINAL REVISION APPLICATION NO. 881 of 2026****With****R/CRIMINAL REVISION APPLICATION NO. 882 of 2026**

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NAYANKUMAR VINODKUMAR SHAH

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR. MIHIR B. SUKHADWALA(18273) for the Applicant(s) No. 1

MS RIYAH Z SINDHI(12457) 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 : 27/03/2026****COMMON ORDER**

1. By way of these applications, the applicant - revisionist challenges the concurrent findings of conviction and sentence passed under Section 138 of the Negotiable Instruments Act, 1881.

2. The appellate Court's order reflects that 20% of the cheque amount has been deposited. Learned advocate Ms. Riyah Z.Sindhi for the applicants submits that 20% of the

cheque amount has already been deposited before the learned Appellate Court. Learned advocate for the applicant submitted that the present applications may be allowed and the sentence qua the applicant herein may be suspended and the applicant be granted bail.

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 applications will take its own time to conclude, the order of sentence requires consideration. Hence, **Rule**.

5. In view of the above, the order of sentence dated 08.12.2022, 14.02.2020 passed by the learned Chief Judicial Magistrate, Surat in Criminal Case Nos.14524 of 2017, 14521 of 2017, 61807 of 2016, 71909 of 2016, 38662 of 2016, 71695 of 2016, 13620 of 2017 which was upheld and confirmed by order dated 17.11.2025, 18.11.2025 passed by the learned Additional Sessions Judge, Surat in Criminal Appeal Nos.16 of 2023, 15 of 2023, 188 of 2020, 12 of 2023, 14 of 2023, 11 of 2023, 13 of 2023 are suspended till disposal of the Revision on applicant's furnishing personal bond of Rs.10,000/- (Rupees ten thousand only) and a surety of like amount to the satisfaction of the Trial Court concerned and subject to the conditions that the applicant 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.

Office to place copy of this order in each matter.

(GITA GOPI,J)

Pankaj/1 to 7 (suppl. Board-III)