

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -
NEGOTIABLE INSTRUMENT ACT) NO. 1460 of 2026**

=====

DINESH IMPEX, A PROPRIETARY & ANR.

Versus

STATE OF GUJARAT & ANR.

=====

Appearance:

MR. HJ KARATHIYA(7012) for the Applicant(s) No. 1,2

MR HARDIK SONI, ADDITIONAL PUBLIC PROSECUTOR for the
Respondent(s) No. 1

=====

CORAM:HONOURABLE MS. JUSTICE GITA GOPI**Date : 08/05/2026****ORDER**

1. **RULE** returnable on **JUNE 24, 2026**. Learned Additional Public Prosecutor waives service of notice of Rule on behalf of respondent-State.
2. By way of this application, the challenge is given to the concurrent findings of conviction and sentence passed under Section 138 of the Negotiable Instruments Act, 1881.
3. Learned advocate for the applicants submits that an amount of Rs.1,50,000/- has been deposited and to gather to the level of 20% of the cheque amount, the applicants are ready and willing to deposit Rs.1,54,000/- before the learned Appellate Court. Learned advocate for

the applicants also produces before this Court copies of the receipts of the above payments. It was, therefore, prayed that the present application may be allowed and the sentence qua the applicants herein may be suspended and the applicant be granted bail.

4. Learned Additional Public Prosecutor prayed that no discretion may be exercised in favour of the applicants.
5. Heard learned advocates appearing for the respective parties and perused the material on record. Taking into consideration the facts and circumstances of the case and when previous amounts have been deposited and when the applicants are ready and willing to deposit a further amount of Rs.1,54,000/- before the learned Appellate Court and when the Revision Application will take its own time to come for final hearing, the order of sentence requires consideration.
6. In view of the above, the order of sentence dated 26.09.2024 passed by the learned 12th Additional Chief Judicial Magistrate, Surat in Criminal Case No.42128 of 2019, which was upheld and confirmed by order dated 04.05.2026 passed by the learned 12th Additional Sessions Judge, Surat in Criminal Appeal No.859 of 2024 are suspended till disposal of the Revision and the applicants are ordered to be released on bail on executing a personal bond of Rs.10,000/- (Rupees Ten Thousand Only) **EACH** and a surety of like amount to the

satisfaction of the Trial Court concerned and subject to the conditions that the applicants shall:-

- [a] deposit an amount of Rs.1,54,000/- (Rupees One Lakh Fifty Four Thousand Only) within a period of 45 days from the date of this order;
 - [b] pursue the matter scrupulously as and when the same is listed;
 - [c] not take undue advantage of liberty or misuse liberty;
 - [d] not leave India without prior permission of the Court;
7. Direct service is permitted. Registry to communicate this order to the concerned Court/authority by Fax or Email forthwith.
8. Let the matter be listed on **JUNE 24, 2026**.

Sd/-
(GITA GOPI,J)

CAROLINE / # 9