

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -  
NEGOTIABLE INSTRUMENT ACT) NO. 2018 of 2026**

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VIPULBHAI PATEL, PROPRIETOR OF SWEET H2O TECHNOLOGY  
Versus  
STATE OF GUJARAT & ANR.

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Appearance:

MR HARDIK H DAVE(6295) for the Applicant(s) No. 1  
MS. C.M. SHAH, APP for the Respondent(s) No. 1

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**CORAM:HONOURABLE MS. JUSTICE S.V. PINTO**

**Date : 16/07/2026**

**ORAL ORDER**

1. Notice, returnable on 23.11.2026. Learned APP waives service of notice for the respondent-State.
2. By way of the present application, the applicant – accused has prayed to quash and set aside the judgement and order of conviction passed by the learned 12<sup>th</sup> Additional Sessions Judge, Vadodara in Criminal Appeal No. 454/2025 dated 13.10.2025 confirming the judgement and order passed by the learned 5<sup>th</sup> Additional Chief Judicial Magistrate, Vadodara in Criminal Case No. 4323/2023 dated 22.11.2024 and suspend the execution of sentence during pendency of the present Revision Application, whereby, the present applicant - accused was sentenced to

six months simple imprisonment and fine of Rs. 1,80,000/- and in default, four months simple imprisonment for the offence under Section 138 of the Negotiable Instruments Act, 1881.

3. Heard learned advocate Ms. Riddhi Yadav for learned advocate Mr. Hardik Dave the applicant and learned APP Ms. C.M. Shah for the respondent State.

4. Learned advocate Ms. Riddhi Yadav submits that the applicant is undergoing the sentence for the offence under Section 138 of the Negotiable Instruments Act, 1881 pursuant to the dismissal of the Criminal Appeal No. 454/2025 passed by the learned 12<sup>th</sup> Additional Sessions Judge, Vadodara on 13.10.2025. Learned advocate submits that the applicant is ready and willing to deposit 20% of the cheque amount before his release before the learned Trial Court and hence, has urged this Court to grant the prayer as prayed for in para 7(D) and 7(E).

5. Considering the fact that the conviction is a fixed sentence and there is no likelihood of the revision

application being heard in the near future and a prima facie case is made out in favour of the present application, the present application qua para 7(D) and 7(E) is allowed. The order of execution of sentence passed by the learned 12<sup>th</sup> Additional Sessions Judge, Vadodara in Criminal Appeal No. 454/2025 dated 13.10.2025 confirming the judgement and order passed by the learned 5<sup>th</sup> Additional Chief Judicial Magistrate, Vadodara in Criminal Case No. 4323/2023 dated 22.11.2024 is suspended during pendency of the Criminal Revision Application and the applicant is ordered to be released on bail on furnishing personal bond of Rs. 10,000/- (Rupees Ten Thousand Only) with surety of the like amount to the satisfaction of the Trial Court and on the following conditions that the applicant;

- (i) shall not take undue advantage of liberty or misuse liberty;
- (ii) shall furnish the present address of his residence to the Court concerned at the time of execution of the bond;
- (iii) shall maintain law and order;
- (iv) shall not indulge in any activity leading to breach of public peace and tranquility;

(v) shall deposit 20% of the cheque amount before his release;

(vi) the applicant shall be released if not required in any other case.

6. List the matter on 23.11.2026. Direct service is permitted.

VASIM S. SAIYED

**(S. V. PINTO,J)**