

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -
NEGOTIABLE INSTRUMENT ACT) NO. 1691 of 2026**

=====

BHIMJI RAVJI PATEL

Versus

STATE OF GUJARAT & ANR.

=====

Appearance:

MR ABHAYKUMAR P SHAH(3093) for the Applicant(s) No. 1

MR. KRUTIK PARIKH, APP for the Respondent(s) No. 1

=====

CORAM:HONOURABLE MS. JUSTICE S.V. PINTO

Date : 16/06/2026**ORAL ORDER**

1. Notice, returnable on 26-11-2026. 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 judgment and order of conviction passed by the learned Sessions Judge, Kachchh at Bhuj in Criminal Appeal No. 180 of 2024 dated 15-05-2026 confirming the judgment and order passed by the learned 3rd Additional Judicial Magistrate, Bhuj in Criminal Case No. 1241 of 2018 dated 26-11-2024 and has prayed in Para-9(C) to suspend the order of execution of sentence and release the applicant on bail during pendency of the present Revision Application, whereby, the present applicant - accused was sentenced to simple imprisonment

for one year and fine of Rs.12,00,000/-, and in default, imprisonment for six months for the offence under Section 138 of the Negotiable Instruments Act, 1881.

3. Heard learned advocate Mr. Abhaykumar B. Shah for the applicant and learned APP Mr. Krutik A. Parikh for the respondent State.

4. Learned advocate Mr. Abhaykumar P. Shah for the applicant submits that the applicant was convicted by the learned 3rd Additional Judicial Magistrate, Bhuj by a judgment and order dated 26-11-2024, and had filed Criminal Appeal No.180 of 2024 before the learned Sessions Court, Kachchh at Bhuj. Learned advocate for the applicant submits that during the pendency of the trial, a compromise had taken place between the parties and the applicant had paid an amount of Rs.50,000/- on 27-03-2025, Rs.20,000/- on 05-07-2025, Rs.1,85,000/- on 22-08-2025 and Rs. 65,000/- on 19-02-2026 and in all, the applicant had deposited Rs.3,00,000/- before the learned Trial Court to the applicant. Learned advocate further submits that the applicant was arrested and sent into custody on 15-05-2026 and the applicant is ready and willing to pay 20% of the amount of cheque before the learned

Trial Court before his release. The applicant has a good case on merits and the prayer as prayed for in Para-9(C) may be allowed.

5. Learned APP Mr. Krutik A. Parikh for the respondent State has objected to grant of the present application.

6. 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 applicant, the prayer qua Para-9(C) is allowed. The order of execution of sentence passed by the learned Sessions Judge, Kachchh at Bhuj in Criminal Appeal No. 180 of 2024 dated 15-05-2026 confirming the judgment and order passed by the learned 3rd Additional Judicial Magistrate, Bhuj in Criminal Case No. 1241 of 2018 dated 26-11-2024, 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;

- (i) *shall pay 20% of the amount of cheque before his release;*
- (ii) *shall not take undue advantage of liberty or misuse liberty;*
- (iii) *shall furnish the present address of his residence to the Court concerned at the time of execution of the bond;*

(iv) shall maintain law and order;

(v) shall not indulge in any activity leading to breach of public peace and tranquility;

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

7. Direct service is permitted.

VISHAL MISHRA

(S. V. PINTO,J)