

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -
NEGOTIABLE INSTRUMENT ACT) NO. 2003 of 2026**

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DILIPBHAI ASHOKBHAI PATEL
Versus
STATE OF GUJARAT & ANR.

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Appearance:
VISHAL K ANANDJIWALA(7798) 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 4th Additional Sessions Judge, Anand in Criminal Appeal No. 93/2021 dated 30.06.2026 confirming the judgement and order passed by the learned 2nd Additional Chief Judicial Magistrate, Anand in Criminal Case No. 3017/2019 dated 15.02.2020 and suspend the execution of sentence during pendency of the present Revision Application, whereby, the present applicant - accused was sentenced to two years

simple imprisonment and fine of Rs. 25,000/- and in default, three months simple imprisonment for the offence under Section 138 of the Negotiable Instruments Act, 1881.

3. Heard learned advocate Mr. Vishal Anandjiwala the applicant and learned APP Ms. C.M. Shah for the respondent State.

4. Learned advocate Mr. Vishal Anandjiwala submits that the applicant has deposited 20% of the cheque amount before the Sessions Court, Anand during the pendency of the Criminal Appeal and the matter is amicably settled between the parties. Learned advocate submits that the applicant had filed a pursis before the Sessions Court, Anand stating that the matter is amicably settled and he has paid an amount of Rs. 50,000/- to the respondent no. 2 and the remaining amount of Rs. 1,10,000/- was to be given on the next date but thereafter, the learned Sessions Court, Anand passed the judgement and order on 30.06.2026 and the applicant was ordered to be taken in custody. Learned advocate submits that the applicant is ready and willing to

deposit the remaining amount of Rs. 1,10,000/- before the Sessions Court, Anand prior to his release and hence, has urged this Court to grant the prayer as prayed for in para 4(C).

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 4(C) is allowed. The order of execution of sentence passed by the learned 4th Additional Sessions Judge, Anand in Criminal Appeal No. 93/2021 dated 30.06.2026 confirming the judgement and order passed by the learned 2nd Additional Chief Judicial Magistrate, Anand in Criminal Case No. 3017/2019 dated 15.02.2020 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 Rs. 1,10,000/- prior to his release before the Sessions Court, Anand;
- (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)