

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -
NEGOTIABLE INSTRUMENT ACT) NO. 1784 of 2025**

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VIRALKUMAR NATVARBHAI PATEL
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR TARUN H RAWAT(13044) for the Applicant(s) No. 1
PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE R. T. VACHHANI

Date : 25/09/2025

ORAL ORDER

1. Learned advocate for the petitioner has submitted that the petitioner has convicted for commission of the offence punishable under provisions of Section 138 of the N.I. Act and ordered to undergo simple imprisonment for one year alongwith the compensation under the provision of Section 357 of the Cr.P.C. for equal amount of cheque in question within a period of 30 days and in default thereof has directed to undergo simple imprisonment for further period of two months. The said order unsuccessfully came to be challenged by the petitioner by way of filing of Criminal Appeal No.352 of 2024, which also came to be dismissed.

2. The submission advanced by the learned advocate for the petitioner that petitioner was directed to surrender by learned Trial Court within the period of 30 days, and before 30 days the present revision application has been filed and sought to pass appropriate order to surrender.

3. In view of the aforesaid, without delving into the other aspect of the matter and considering the fact that no such protection has been granted. As such to exercise the powers under the provision of Section 389(2) of the appellate court, otherwise no option has been left to take the appellate into custody or direct the appellate to surrender before concerned jail authority.

4. However, learned advocate for the petitioner has requested time to surrender the petitioner before the jail authority on or before 06.10.2025.

5. The request of learned advocate is considered. The petitioner is directed to surrender himself before the jail authority on or before 06.10.2025, and certificate issued by jail authority in that regard shall be placed on record.

Stand over to 07.10.2025.

NITIN MAKWANA

(R. T. VACHHANI, J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: NITIN INDRAVADAN MAKWANA(HCW0110), ENGLISH STENOGRAPHER GRADE I, at High Court of Gujarat on 25/09/2025 19:00:45