

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -
NEGOTIABLE INSTRUMENT ACT) NO. 2039 of 2025**

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MANISHABEN KALPESHBHAI PARMAR
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR P P MAJMUDAR(5284) for the Applicant(s) No. 1
MS.SHRUTI PATHAK, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR.JUSTICE P. M. RAVAL**Date : 07/11/2025****ORAL ORDER**

1. Heard learned advocates for the petitioner. Concurrent findings recorded by the learned Courts below convicting and sentencing the accused under section 138 of NI Act has been challenged inter-alia on the grounds stated in Revision memo. The Revision Application deserves consideration. Rule returnable on 05.12.2025. Learned APP waives service of rule on behalf of respondent State.

2. Learned advocate for the petitioner submits that the petitioner is behind bar since 09.10.2025. It is submitted that the petitioner is ready to deposit 20% of the cheque amount within 4 weeks from the date of release. Considering, this aspect, it is submitted to suspend the sentence and grant regular bail to the petitioner.

3. Upon considering the submissions made at bar, it appears that petitioner is sentenced for a fixed period and the Revision is not likely to be heard in near future, sentence imposed upon the petitioner can be considered in view of the decision rendered in case of **Bhagwan Rama Shinde V/s. State of Gujarat (1999)4 SCC 421** as there are no exceptional circumstances pointed out by the learned A.P.P. to refuse/decline the application.

4. Considering above, pending Revision Application, impugned order passed by the Courts below are kept in abeyance till further orders. The petitioner is released on bail pending hearing of the Revision Application on furnishing personal bond of Rs.10,000/- and surety of like amount to the satisfaction of the learned Trial Court concerned and on further following conditions:-

(i) The petitioner shall deposit 20% amount of the cheque amount within 4 weeks of his release before this Court.

(ii) The petitioner shall provide his address proof and shall not change address without permission of this Court.

(iii) The petitioner shall also provide his mobile number as well as mobile number of his wife and shall not change the same.

(iv) The petitioner shall also provide mobile number of surety.

5. Needless to observe that in non-compliance of depositing 20% of the amount of cheque, the interim protection of suspending the sentence of imprisonment and granting bail on furnishing a personal bond shall stand automatically withdrawn without reference to this Court.

Direct service is permitted.

MOHD SAIF ULLAH

(P. M. RAVAL, J)