

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -
NEGOTIABLE INSTRUMENT ACT) NO. 2077 of 2025**

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PATEL RAJUBHAI MANGALDAS MAFATLAL

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR KAMLESH S KOTAI(6150) for the Applicant(s) No. 1

ROHAN SHAH APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR.JUSTICE P. M. RAVAL

Date : 13/11/2025

ORAL ORDER

1. Heard Ld. Advocate Mr. Kamlesh S Kotai for the Applicant.

2. The present Revision Application is preferred against the Order passed by the Ld. 3rd Additional Sessions Judge, Gandhinagar in Criminal Appeal No. 145/2024 dated 13.10.2025 confirming the order dated 16.03.2024 passed by the Ld. Judicial Magistrate First Class in Criminal Case No. 40 of 2022, wherein, the Applicant was convicted for the offence under Section 138 of the NI Act for 6 months SI and awarded compensation of Rs. 10,00,000/- to the Complainant and in default thereof further 3 months SI.

3. Considering the averments made in the present Application, and considering the fact that the present

conviction is fixed sentence and there is no likelihood to the revision Application be heard in near future, a good prima facie case is made out in favour of the present Applicant.

5. Issue Rule Returnable on 11.02.2026. LD. APP waives service of Rule for the Respondent State.

4. Interim relief in terms of paragraph 7(C) is granted.

5. The present Applicant-accused shall be released on bail on the following conditions:

- i. The Applicant shall not misuse the liberty granted by this Court;
- ii. He shall furnish his address with documentary evidence before the learned Trial Court;
- iii. He shall not leave India without prior permission of this Court.

Iv Further, the present applicant - accused has to deposit 50% of the total cheque amount before the First Appellate Court within 3 months from the date of this order.

6. Needless to observe that in non-compliance of the depositing the aforesaid amount, the interim protection of the suspending the sentence of imprisonment shall stand automatically withdrawn without reference to this Court.

Direct Service is permitted.

(P. M. RAVAL, J)

MMP