

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE SIDE JURISDICTION  
CRIMINAL WRIT PETITION NO. 1110 OF 2013

Nutan Ashok Hatankar

....Petitioner

V/s.

R. N. Shukla & another

....Respondents

Mr. D. P. Adarkar for Petitioner

Mr. R. P. Ojha for Respondent no. 1

Ms. P. P. Shinde APP for the State.

**CORAM : SMT. SADHANA S. JADHAV, J.**

**DATED : FEBRUARY 20, 2014**

**PC :**

1) Heard learned counsel for the petitioner. Petitioner herein was convicted for offence punishable under section 138 of Negotiable Instruments Act by Metropolitan Magistrate, Andheri, Mumbai vide Judgment and Order dated 03/07/2010. Petitioner was directed to pay compensation of Rs. 1,10,000/- inclusive of cheque amount and sentenced to suffer simple imprisonment till rising of the Court.

2) Being aggrieved, petitioner filed Revision Application before Sessions Court, Mumbai. Sessions Court vide Judgment and Order dated 06/02/2013, has been pleased to dismiss Revision Application. Learned counsel for the applicant submits that applicant has deposited Rs. 1,04,000/- in this Court at the time of filing of the Writ Petition. Learned counsel further submits that on the date when Judgment was delivered, applicant has undergone the sentence of simple imprisonment till rising of the Court.

3) In view of this, Writ Petition deserves to be admitted.

4) Rule.

5) Rule returnable in due course. Hearing is expedited.

**(SMT. SADHANA S. JADHAV, J.)**