

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 554 OF 2026

Kunal Shankarlal Relan

....Petitioner

VERSUS

M/s Abhiram Enterprises Through Hemant Subhashchandra Agarwal

.....Respondent

.....
Advocate for the Petitioner : Mr. Baig Mirza Mazhar Javed

CORAM : MEHROZ K. PATHAN, J.

DATE : 6th MAY, 2026.

P.C. :-

1. At the outset, the learned counsel for the petitioner submits that the petitioner is ready to deposit 10% of the amount of compensation. The petitioner is facing financial hardship due to loss in the business. The said hardship is not taken into consideration by the learned Appellate Court while passing the impugned order of suspension of sentence. The learned appellate court has imposed a condition of depositing 20% of the compensation amount, mechanically without application of mind.

2. The Honourable Apex Court in the matter of *“Jamboo Bhandari vs. Madhya Pradesh State Industrial Development Corporation and others” reported in (2023)10 SCC 446* has held that the financial hardship shall be taken into consideration while imposing conditions of deposit at the time of suspending the sentence.

3. Thus, taking into consideration the aforesaid submissions and particularly, the voluntary statement by the applicant that he is ready to deposit 10% of the amount of compensation i.e. Rs. 3 Lakhs within a period of 15 days, I am inclined to pass the following order :-

O R D E R

[I] The impugned order of suspension of sentence dated 19.9.2025 passed by the Additional Sessions Judge, Dhule in Criminal Appeal No. 42 of 2025, insofar as it imposes a condition of deposit of 20% of the compensation amount, is hereby stayed until further orders.

[II] The aforesaid interim order is subject to condition that the applicant deposits an amount of Rs. 3 Lakhs before the trial court within five weeks.

[III] Failure on the part of the petitioner to deposit the amount of Rs. 3 Lakhs within five weeks before the trial court, would result in vacation of the interim relief granted by this Court.

4. Stand over to 22.6.2026.

**[MEHROZ K. PATHAN]
JUDGE.**

grt/-