



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2121 OF 2026
IN REVN/164/2026

RAJENDRA MATHURAPRASAD AGRAWAL
VERSUS
STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Swapnil S. Rathi
APP for Respondents-State : Mr. A. R. Kale

...

WITH
CRIMINAL REVISION APPLICATION NO. 164 OF 2026

RAJENDRA MATHURAPRASAD AGRAWAL
VERSUS
STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Swapnil S. Rathi
APP for Respondents-State : Mr. A. R. Kale

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CORAM : AJIT B. KADETHANKAR, J.
(Vacation Court)

Date : 5th June, 2026

PER COURT :-

CRIMINAL REVISION APPLICATION NO. 164 OF 2026

1. The applicant has preferred the present revision application challenging the judgment and order dated 17.05.2026 passed by the learned Additional Sessions Judge, Parbhani, in Criminal Appeal No. 13 of 2017, whereby the appeal was dismissed, confirming the judgment of conviction and order of

sentence dated 11.01.2017 passed by the learned Judicial Magistrate First Class (Court No. 1), Parbhani, in Summary Criminal Case No. 231 of 2004 for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

2. Mr. Rathi, the learned counsel for the applicant, submits that both the Trial Court and the Appellate Court failed to consider a vital aspect of the matter that, the witnesses of the complainant specifically admitted that they were unaware of the transaction between the complainant and the applicant. He further submits that the issue regarding the competency of the said witnesses was also not properly appreciated by both the Courts. He points out that during the pendency of the appeal before the learned Additional Sessions Judge, Parbhani, the substantive sentence imposed upon the applicant was suspended. He further submits that the applicant has already deposited Rs. 5,00,000/- in two installments before the Trial Court and the copies of the relevant receipts are annexed to the memo of the revision application.

3. Issue notice to the respondents, returnable on 19.07.2026.

4. The learned APP waives service of notice on behalf of the respondent-State.

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5. Heard.

6. Issue notice to respondents, returnable on 19.07.2026.

7. The learned APP waives service of notice on behalf of respondents-State.

8. Till returnable date, the substantive sentence imposed upon the applicant by the learned Judicial Magistrate First Class, Parbhani in Summary Criminal Case No. 231 of 2004 and confirmed by the learned Sessions Judge, Parbhani in Criminal Appeal No. 13 of 2017 is hereby suspended. Applicant be enlarged on bail on furnishing PR Bond of Rs. 25,000/- (Rs. Twenty Five Thousands Only) and one solvent surety in the like amount.

9. The applicant undertakes to deposit Rs. 1,00,000/- (Rs. One Lakhs Only) with the Trial Court within a period of two weeks from today.

(AJIT B. KADETHANKAR, J.)

Omkar Joshi