



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Writ Petition No.105/2026

Arun V Pankaj

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. Alok Daga, Advocate for petitioner.

CORAM : M.M. Nerlikar, J.

DATE : 10-02-2026.

Heard learned Counsel for the petitioner.

2. It appears that, the present petitioner had filed an appeal alongwith the application for condonation of delay of 30 days with a further prayer to suspend the sentence, before the Additional Sessions Judge, Khamgaon. By an order dated 04-02-2026, learned Additional Sessions Judge, Khamgaon was pleased to suspend the sentence during the pendency of the application for condonation of delay. However, it directed to deposit the entire compensation amount of Rs.05 Lakhs and subject to furnishing one solvent surety of Rs.01 Lakh and executing a PR. Bond of Rs.01 Lakh. Learned Counsel appearing for the petitioner submits that this is against the mandate provided under Section 148 of the Negotiable Instruments Act. The very purpose would be defeated if the entire amount was directed to be deposited in fact, the petitioner is ready to deposit 20% of the total compensation amount.

3. In this view of the matter, issue notice to the respondent, returnable after three weeks.

4. In the meanwhile, the order directing deposit of the entire amount and further furnishing one solvent surety of Rs.01 Lakh and executing a PR. Bond of Rs. 01 Lakh, is hereby stayed and it is modified as under :-

5. The petitioner to deposit 20% of the total compensation amount of Rs. 05 Lakhs with one solvent surety of Rs. 25,000/- and also executing a PR. Bond of Rs. 25,000/- within a period of two weeks.

6. The petitioner/applicant shall be released on bail on furnishing a PR. Bond of Rs.25,000/-.

7. It is clarified that Clause-5 shall be complied with after release from jail.

(M.M. Nerlikar, J.)