



Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO.466/2026 (F)
IN
CRIMINAL REVISION APPLICATION NO.465/2026 (F)

SHABIR SHARIF SHAIKH

... APPLICANT

Versus

AKBAR TALAB SHAIKH
AND ANR.

... RESPONDENTS

Mr Pranav Vaze, Advocate for the Applicant (thr VC)
Mr P. Faldessai, Additional Public Prosecutor for the
Respondent No.2.

CORAM: ASHISH S. CHAVAN, J.

DATE : 7th MAY 2026

P.C.:

1. The Applicant herein is the original accused, who has sought suspension of the sentence imposed against him by the learned JMFC Valpoi, Sattari, Goa, vide order dated 27.07.2024 *inter alia* convicting the Applicant for offence punishable under Section 138 of the Negotiable Instruments Act and sentencing him to suffer simple imprisonment for a period of two months and to pay fine of Rs.6,70,000/- and in default thereof, to suffer simple imprisonment for a period of four months.

2. The Applicant challenged the said order before the learned Additional Sessions Judge-2, Mapusa, Goa by way of Criminal Appeal No.246/2024, which came to be disposed of on 02.02.2026 whereby the sentence and conviction was confirmed by the learned Additional Sessions Judge-2, Mapusa, Goa.

3. Aggrieved by the aforesaid concurrent findings of conviction, the Applicant has approached this Court by way of the Criminal Revision Application in which he is seeking suspension of sentence.

4. Heard Mr Pranav Vaze for the Applicant. Perused the Application.

5. On behalf of the Applicant, it is submitted that the Applicant has deposited 20% of the compensation amount (Rs.1,34,000/-) before the Appellate Court during the pendency of the Appeal. This fact has been noted in the impugned order dated 02.02.2026. The Appellate Court has directed the Applicant to surrender in compliance with the sentence and in default the trial court shall be at liberty to take steps to get the sentence executed against the Applicant. Apprehending coercive action, the Applicant seeks suspension.

6. In the light of the submissions advanced on behalf of the Applicant and in view of the fact that 20% of the compensation amount is already deposited before the Appellate Court, this Court is of the view that the sentence can be suspended.

7. In view thereof, the sentence imposed by the learned JMFC, Valpoi vide order dated 27.07.2024 and confirmed by the learned Additional Sessions Judge-2, Mapusa, Goa, vide order dated 02.02.2026, stands suspended until the final disposal of the Criminal Revision Application. The Applicant is directed to be released on bail on his executing P.R. Bond of Rs.15,000/- with one surety in the like amount to the satisfaction of the learned JMFC, Valpoi. The Registry to direct the learned JMFC, Valpoi to report compliance.

8. In terms thereof, the Criminal Misc. Application No.466/2026 (F) stands disposed of. The Registry to waive office objections and register the Application.

ASHISH S. CHAVAN, J.