

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**CRIMINAL MISC.APPLICATION (FOR SUSPENSION OF SENTENCE) NO.
2 of 2023****In R/CRIMINAL REVISION APPLICATION NO. 1339 of 2022**

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MANOJBHAI JINABHAI SOHLA
Versus
STATE OF GUJARAT

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Appearance:
MR HIRENKUMAR M NIYALCHANDANI(9959) for the PETITIONER(s) No. 1
MS ASMITA PATEL, APP for the RESPONDENT(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE S.V. PINTO**Date : 30/11/2023****IA ORDER**

Rule. Learned APP waives service of notice of rule on behalf of the respondent State.

By preferring this application, applicant has prayed to suspend the substantive sentence of imprisonment imposed on the applicant by the judgment and order dated 21.7.2022 passed by the learned Additional Sessions Judge, Rajkot in Criminal Appeal No.86 of 2020 as well as judgment and order dated 24.2.2020 passed by the learned 2nd Additional Chief Judicial Magistrate, Rajkot in Criminal Case No.11347 of 2017 and to release him on bail

during the pendency of the main revision application.

Heard learned advocate for the applicant.

It is submitted by the learned advocate for the applicant that by order dated 21.3.2023, the applicant was released on bail on certain terms and conditions and there was agreement between the parties by which the applicant has to pay remaining amount of Rs.5,00,000/- within 60 to 90 days and on that condition, the applicant was released on bail. Learned advocate for the applicant submits that the applicant has not paid the remaining amount within 60 to 90 days and hence, warrant has been issued by the concerned Court and the applicant is in jail. Learned advocate for the applicant submits that at present, the applicant is in financial difficulty and is unable to pay the amount, but the applicant is ready and willing to pay 50% of the cheque amount, out of which Rs.2,31,000/- has already been deposited and will pay remaining amount i.e. Rs.1,34,500/- within fifteen days from the date of his release and the applicant will file an undertaking to that effect before the learned trial Court.

During the hearing and final disposal of the present revision application, the sentence imposed upon the applicant vide judgment and order dated 21.7.2022 passed by the learned Additional Sessions Judge, Rajkot in Criminal Appeal No.86 of 2020 as well as judgment and order dated 24.2.2020 passed by the learned 2nd Additional Chief Judicial Magistrate, Rajkot in Criminal Case No.11347 of 2017 stands suspended and applicant is ordered to be released on bail on furnishing personal bond of Rs.10,000/- (Rupees Ten thousand only) with surety of the like amount to the satisfaction of the trial court and on the following conditions:

- (a) shall maintain law and order;
- (b) shall not indulge in any activity leading to breach of public peace and tranquility.
- (c) shall not leave the State of Gujarat without prior permission of this Court.
- (d) shall pay the fine, if not paid;
- (e) shall deposit further Rs.1,34,500/- before the

learned trial Court within a period of fifteen days from the date of his release and shall also file an undertaking to that effect before the learned trial Court.

Direct service is permitted.

H.M. PATHAN

(S. V. PINTO,J)