

(2026) 01 MP CK 1659

In the Madhya Pradesh High Court, Jabalpur Bench

Case No : Criminal Revision No. 6227 Of 2025

Prakash

APPELLANT

Vs

Apna Commercial Credit Co. Cooperative Society Limited
Burhanpur

RESPONDENT

Date of Decision : 02-01-2026

Acts Referred:

Limitation Act, 1963 — Section 5
Negotiable Instruments Act, 1881 — Section 138

Citation : (2026) 01 MP CK 1659

Hon'ble Judges : Dwarka Dhish Bansal, J

Bench : Single Bench

Advocate : Ashok Kumar Gupta, Pankaj Namdeo

Judgement

Dwarka Dhish Bansal, J

Heard on I.A. No. 31204/2025, which is an application filed under Section 5 of the Limitation Act for condonation of delay.

For the reasons mentioned in the application, which is not opposed by learned counsel appearing for the respondent, I.A. No. 31204/2025 is allowed and disposed of.

Also heard on admission.

Admit.

Also heard on I.A.No.31203/2025, which is the first application filed on behalf of the applicant for suspension of sentence and grant of bail.

The applicant was convicted by the trial Court under Section 138 of Negotiable Instruments Act and sentenced to undergo R.I. for 1 year and to pay Rs. 3,74,063/- with default stipulation, which has been affirmed by Sessions Judge, District Burhanpur vide judgment dated 11.10.2023 passed in Cr.A. No. 133/2023.

Learned counsel for the applicant has submitted that the Courts below have not properly appreciated the oral and documentary evidence available on record and committed error in convicting the applicant for aforesaid offence. Since a compromise has taken place, therefore, applicant has already paid the check amount to respondent. The applicant is in custody since 29.12.2025 and there is a bleak possibility of disposal of this revision in near future, therefore, the sentence of the applicant may be suspended and he may be released on bail.

Learned counsel for the respondent did not oppose the application. Looking to the nature of offence, I find it to be a fit case to suspend the jail sentence of the applicant and to release him on bail, therefore, without commenting on the merit of the case, I.A. No. 31203/2025 is allowed.

Subject to depositing the fine amount (if not already deposited), the remaining jail sentence of the applicant is hereby suspended and it is directed that the applicant - Prakash be released on bail on his furnishing a personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one solvent surety of the like amount to the satisfaction of the trial Court with a further direction to appear before the concerned trial Court on 20.04.2026 and also on such other dates as may be fixed by the trial court in this regard during the pendency of this revision.

Let record of Courts below be called for.

List after receipt of the record for consideration of I.A. No. 31211/2025.

Certified copy as per rules.