

CA No.:42/2026
M/s Dayawant Impex vs Alok Gupta
CNR No. DLCT01-001429-2026

16/02/2026

Present: Mr. Pradeep Chaudhary, Id. Counsel for appellant.

Present appeal is filed against the judgment dated 26/11/2025 and the order on sentence dated 19/12/2025 passed by Ld. JMFC-7, (NI Act), Central, THC, in complaint case No. 533582/2016 in case titled as 'Alok Gupta vs M/s Dayawant Impex', wherein appellant is convicted for the offence punishable U/s 138 of NI Act and is sentenced to pay a fine of Rs.12,45,000/- within 30 days, failing which the convict shall undergo imprisonment for 06 months.

By virtue of 'The repealing and Amending Act 2025' the amendments brought by virtue of "The Negotiable Instruments (Amendment) Act 2018" stands repealed. Section 148, gave power to the appellant court to direct deposit of 20% of the fine or compensation awarded by the Ld. Trial Court was added by virtue of Amendment Act, 2018. Once the section is no longer on the statute book, no directions can be given to deposit the 20% amount.

IA No.01/2025:An application for suspension of sentence and grant of bail is filed alongwith the present appeal.

Heard. Record perused.

The impugned order of sentence dated 16/12/2025 and appellant is admitted to bail on his furnishing personal bond and

surety bond in the sum of Rs.20,000/- to the satisfaction of the Ld. Trial Court. Bail bonds not furnished.

Application stands disposed of.

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Issue notice of the appeal to the respondent on filing of PF & RC for the next date of hearing.

Put up on **02/06/2026**. TCR be summoned three days before the next date of hearing. Copy of order be given dasti.

(ANKUR JAIN-I)
ASJ-04/DELHI/16/02/2026