

CA no. 67/2025

Praduman Kumar Jain Vs. Mahesh Kumar Saini & Anr.

27.02.2025

Present: Sh. Varun Aggarwal, Id. Counsel for the appellant along with the appellant.

The appellant has preferred the present appeal u/s Section 415 of the BNSS 2023/ Section 374 of the Cr.P.C. against the judgment dated 27.01.2025 and the orders on sentence dated 30.01.2025 passed by the court of the Id. JMFC-01(NI Act), Central District, THC, Delhi, whereby, the accused/ appellant has been found guilty of the offence punishable u/s 138 of the NI Act and has directed the appellant/ accused to undergo SI for a period of three months and has also directed the appellant to pay Rs. 1.86 lacs as fine. The appellant has also been convicted to simple imprisonment for a period of two months, in case of default in the payment of fine.

The aforesaid fine/ compensation amount is stated to be not paid by the appellant.

An application u/s 430 of the BNSS 2023/ Section 389 of the Cr.P.C. has been filed by the appellant along with the present appeal.

Heard. Perused.

Having perused the appeal as well as grounds taken in the appeal and order on sentence, the present appeal is admitted and operation of order on sentence is stayed till the next date subject to the depositing of 20% of the fine amount from a nationalized bank in the name of this court within a period of 60 days from today.

Subject to deposit of 20% of the fine / compensation amount by the appellant and subject to furnishing of surety bond of the amount in the sum of Rs. 25,000/- along with one surety of the like amount, the appellant is admitted to bail.

Bail bonds shall be furnished within a period of seven days from today.

Issue notice of the present appeal to the respondent on filing of PF/RC, speed post and approved courier service by the appellant for the next date.

Put up service of the respondent and reply/ arguments on **17.05.2025**.

TCR be summoned by the Ahlmad at least two days prior to the next date.

A copy of this order be given dasti to the counsel for the appellant, as prayed for.

(Raj Kumar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
27.02.2025