

Mohd. Arbaz v. State & Anr.
CNR No.: DLCT01-010260-2026
Crl. Appeal No. 285/2026

04.06.2026

Criminal appeal received by way of assignment. It be checked and registered.

Present : Mr. Lovnish Mendiratta, Ld. Counsel for the appellant.
Appellant is present.

The present appeal has been preferred against judgment dated 03.11.2025 passed by Ld. JMFC (NI Act)-01, Central, Tis Hazari Courts, Delhi, convicting the appellant for the offence under Section 138 NI Act, and the consequent order of sentence dated 23.03.2026, sentencing the appellant in the manner specified therein.

Ld. Counsel for the appellant has briefed this Court facts of the present case and grounds of filing the present appeal.

Ld. Counsel for the appellant has submitted that the present appeal has been preferred with a delay and that he has already moved an application under Sec. 5 of the Limitation Act, seeking condonation of delay. Further, Ld. Counsel has submitted that he has moved an application, seeking waiver of deposit of 20% of the fine amount.

Heard. Perused.

Issue notice of the appeal to the respondent no. 2 on PF, through registered post, approved courier, Whatsapp and e-mail, including *dasti* mode, for the next date of hearing.

Further, for the reasons stated under the appellant's application under Section 389 Cr.P.C./Section 430 BNSS, submissions made by the Ld. Counsel for the appellant and the grounds under the present appeal, demonstrating a *prima facie*

Contd..2/-

case, the operation of impugned **order of sentence is suspended till the next date of hearing**, on the appellant furnishing personal bond in the sum of Rs. 10,000/- along with one surety in the like amount to the satisfaction of the Ld. Trial Court/Ld. JMFC/Ld. Duty JMFC, **within a period of seven days from today**. Needless to mention that the appellant is on bail in the present case. (Reference is made to the decisions in; *Aasif v. State of U.P., 2025 SCC Online SC 1644*; and *Bhagwan Rama Shinde Gosai v. State of Gujarat, (1999) 4 SCC 421*)

In the interest of justice, list for further proceedings on 07.09.2026.

A copy of this order be given *dasti* to Ld Counsel for the appellant.

A copy of this order be also sent to the Ld. Trial Court for information purposes.

TCR be requisitioned two days, prior to the next date of hearing.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
04.06.2026