

Ms Silk Route Hub Pvt Ltd and Anr Vs. M/s Popular Jewels
CNR No.: DLCT01-013747-2025
Crl. Appeal No. 405/2025

18.12.2025

The present case has been received by way of transfer *vide* Order no. 78055-78087/F.3(4)/Gaz/2025 dated 14.10.2025, passed by Ld. Principal District & Session Judge (Headquarters).

Present : Mr. Vibhav Chaturvedi, Ms. Twinkle Rathi and Mr. Sourik Karmakaz, Ld. Counsel for the appellants.
Appellant no. 2 is present.

In compliance of the order dated 24.09.2025, passed by Ld. Predecessor Judge, appellants have filed an application, seeking condonation of delay, in terms of the provisions under Section 148(2) of NI Act along with FDR bearing A/c no. 44707450155 dated 04.12.2025 drawn on State Bank of India, Tis Hazari Courts, Delhi for a sum of Rs.1,60,000/- (Rupees One Lac Sixty Thousand only), being the 20% of the fine amount as per the order of sentence dated 12.08.2025 of the Ld. Trial Court.

It is stated in the application that the delay in deposit of the said amount has occasioned due to the appellants' inability to arrange the necessary funds on time. It is further submitted by the Ld. Counsel that appellant no.2 is suffering with severe renal disorder and it took time for the appellants to consequently arrange for the necessary fund. Ld. Counsel for the appellants has further submitted that due to paucity of funds, the appellants could not arrange and get prepared the FDR on time, leading to delay. Ld. Counsel further submitted that the delay in depositing the FDR is neither deliberate nor intentional, rather attributed to reasons beyond the control of the appellants. Accordingly, Ld.

Contd..2/-

Counsel prayed that the present application may be allowed in the interest of justice.

Heard. Perused.

For the aforesaid reasons stated in the application, submissions made by Ld. Counsel and in the interest of justice, the delay in submitting/depositing the FDR, in terms of order dated 24.09.2025 of Ld. Predecessor Judge is hereby **condoned**, in terms of the provision of Section 148(2) of the NI Act and the aforesaid FDR is taken on record. Needless to mention, that the FDR has been filed within the 90 days period, as specified under Section 148 NI Act.

The present application is **disposed off**, in above terms.

There is no representation on behalf of the respondent. Further, no report on execution of process, in terms of order dated 24.09.2025 is forthcoming.

At this stage, Ld. Counsel for the appellants has requested for one week's time to furnish the surety, in terms of order dated 24.09.2025 of the Ld. Predecessor Judge. Let the same be done, as prayed for, in terms of the said order within a period of one week from today. Further, Ld. Counsel has requested for issuance of fresh process *qua* the respondent.

As request, **issue notice of the appeal to the respondent** on PF, through registered post, approved courier, Whatsapp and e-mail for the next date of hearing.

In the interest of justice, list for further proceedings on 17.03.2026.

TCR be requisitioned forthwith.

Interim order pertaining to suspension of sentence, if any, to continue till the next date of hearing.

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

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
18.12.2025

It is 12:45 p.m.

At this stage, Ms. Twinkle Rathi, Ld. Counsel for the appellants has furnished the bail bonds on behalf of the appellants.

List for report on verification of bail bond on
22.12.2025.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
18.12.2025