

Fresh Criminal Appeal
CA 2/2025

Amit Dang Vs. M/s Sanskriti Foods Corporation

09.01.2025

Fresh criminal appeal has been received by way of assignment. It be checked and registered as per rules.

Present: Sh. Vinod Yadav, Ld. Counsel for the appellant
along with appellant in person.

1. Heard. Appeal file is carefully perused.
2. The present appeal is preferred against the judgment of conviction dated 20.11.2024 passed by Ld. JMFC-04, PHC, NDD, New Delhi whereby the appellant has been convicted for the offence punishable under Section 138 of the NI Act and consequent order on sentence dated 28.11.2024 whereby he has been sentenced to undergo simple imprisonment for a period of 01 year and he is directed to pay a fine of Rs.10,00,000/- to the complainant/respondent within a period of one month from the date of order and in default of making payment of said fine, simple imprisonment for a period of 06 months has been awarded.
3. Vide order dated 28.11.2024, the sentence of the appellant was suspended under Section 430(3) BNSS for enabling him in filing of the appeal against the said judgment of conviction and order on sentence.
4. At this stage, Ld. Counsel for the appellant has pressed upon his application under Section 430(1) BNSS for seeking suspension of his sentence.

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5. The disposal of the present appeal may take some time and if the sentence of the appellant is not suspended, he may suffer substantive sentence, thereby rendering the present appeal infructuous. Therefore, the sentence of the appellant is suspended till final disposal of the present appeal subject to deposition of 20% of the fine/compensation in the form of FDR before the Ld. Trial Court within 60 days from today and subject to furnishing of personal bond in the sum of Rs.50,000/- with one surety of the like amount before the Ld. Trial Court to its satisfaction.
6. Notice of the present appeal be issued to the respondent upon filing of PF, RC as well as through approved courier.
7. Put up for awaiting report on notice to the respondent and for arguments on the present appeal on **19.03.2025**.
8. TCR be summoned for the said date.
9. As prayed, copy of the order be given *dasti*.

(Dheeraj Mor)
ASJ-06/NDD/PHC
New Delhi:09.01.2025