

CA / 109/2026

RISHI SHARMA Vs. RAJESH KUMAR SHARMA
(Bhajan Pura)

01.06.2026

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

Present: Appellant with Ld. counsel for the appellant.
Ld. counsel for the respondent.

1. This is the fresh appeal against the impugned conviction order dt. 23.11.2019 and order on sentence dt. 28.04.2026.
2. Arguments heard on the application u/s 430 BNSS / 389 Cr.P.C.
3. Ld. counsel for the appellant draws the attention to the statement of respondent dt. 10.02.2021. It is submitted that appellant has already paid 12.5 lakhs and further DD of Rs. 9 lakhs to the respondent, hence, 21.5 lakhs has already been paid to him.
4. On the other hand, Ld. counsel for the respondent submits that the impugned cheque was of Rs. 55 lakhs which was given in the year 2015. Further, appellant has been assuring payment to the respondent before various courts but he has not made any payment as per the compromise, hence he is not going by the compromise. Further, amount of Rs. 9 lakh was given towards sale of property in which respondent also had shared.
5. Without commenting on the merits of the case, perusal of order on sentence dt. 28.04.2026 would show that appellant has

been directed to pay compensation for an amount of Rs. 90 lakhs. Further, appellant has already paid part amount to the respondent i.e. 21.5 lakhs. However, Ld. counsel for the respondent submits it is disputed if 9 lakhs has been paid by the appellant towards the liability of the cheque, however this issued is to be addressed at appropriate stage.

6. As appellant was on bail during trial and disposal of this appeal is going to take some time, hence, the sentence awarded to the appellant is suspended and he is admitted to bail till pendency of appeal, subject to furnishing personal bond and surety bond in the sum of Rs. 20,000/- with one surety of like amount, alongwith the direction to deposit Rs. 12 lakhs in the form of FDR before this Court within 60 days. Application is accordingly allowed.

7. Bail bonds be furnished on behalf of appellant.

8. Let verification be called for the NDOH.

9. Reply to the appeal may be filed as per law.

10. Put up on for filing of reply, furnishing of FDR and further proceedings on **05.08.2026**.

11. TCR be also summoned for the NDOH.

(Twinkle Wadhwa)
ASJ-02(NE)/ KKD/Delhi
01.06.2026/nk