

Ashok Kumar Chandelia Vs. Satish Kumar and anr.
CA No. 99/2024

03.09.2024

Present: Appellant in person with Ld. Counsels Sh. Raj Kumar
and Sh. Ankit Sharma.

Respondent no.1 in person with Ld. Counsel Sh.
Rajesh Kumar.

Sh. Parmod Kumar, Ld. Addl. PP for State/R2.

Today, this matter is fixed for appearance of
respondent/FP.

R1 has appeared with Ld. Counsel.

Ld. Counsel for appellant has submitted that he has
already deposited DD for an amount of Rs.1,14,000/- drawn on
SBI, Kirti Nagar branch, Delhi bearing no. 083405 dated
04.06.2024 on record on 11.07.2024. The said DD is taken on
record.

In view of the above, sentence is suspended till the
pendency of the appeal and the appellant is admitted to bail till the
pendency of present appeal on the same terms and conditions to the
satisfaction of Ld. JM concerned/Duty JM.

Ld. Counsel for respondent no.1 has moved an
application seeking release of the DD, which has been placed on
record by appellant, in favour of respondent no.1 in compliance of
the order passed by this court dated 21.05.2024.

Submissions heard. Record perused.

The respondent no.1, during the course of submissions, has undertaken that in case any adverse order is passed against him in the present appeal, then he shall return the said amount, if so released by this court, failing which he shall be liable in accordance with law. Separate statement of respondent no.1 has been recorded in this regard.

Ld. counsel for appellant has submitted that he has no objection, if the said DD is released in favour of respondent no.1.

In view of the said submissions as well as in the light of statement/undertaking of respondent no.1, upon due verification, Ahlmad is directed to release the above said DD for an amount of Rs.1,14,000/- drawn on SBI, Kirti Nagar branch, Delhi bearing no. 083405 dated 04.06.2024 to the respondent no.1 Satish Kumar against proper receipt after taking photocopy of the same on record.

At request, put up this appeal for arguments on 07.11.2024.

(Vineet Kumar)
ASJ-02/E-Court/Shahdara
KKD/Delhi/03.09.2024