

Ashok Kumar Chandelila Vs. Satish Kumar and anr.
CA No. 98/2024

03.09.2024

Present: Appellant in person with Ld. Counsel sSh. 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 further proceedings.

Ld. Counsel for appellant has moved an application
seeking extention of time to submit the DD in compliance of order
dated 05.06.2024 as well as to furnish the DD.

Heard. Perused.

For the reasons mentioned in the application as well as
in the light of submissions made, the application stands disposed of
as allowed. Accordingly, DD for an amount of Rs.76,000/- drawn
on SBI, Kirti Nagar branch, Delhi bearing no. 083408 dated
11.06.2024 is taken on record.

Perusal of record reveals that execution of sentence of
convict/appellant has already been suspended till pendency of
present appeal vide order dated 05.06.2024 and the appellant is
admitted to bail till the pendency of present appeal 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 05.06.2024.

Submissions heard. Record perused.

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.76,000/- drawn on SBI, Kirti Nagar branch, Delhi bearing no. 083408 dated 11.06.2024 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