

CA No. 143/25

SURENDER KUMAR @ YASH CHHOKER VS STATE &
ANR.

16.03.2026

Present :- Ld. Counsel for the appellant.

Sh. Abhinav Dubey, substitute Ld. Addl. PP for State
/ respondent No. 1.

Sh. Pawan Singh Tanwar , Ld. Counsel for the
respondent No. 2 alongwith respondent No. 2.

Arguments on the application u/s 432 BNSS for permission to lead further evidence on behalf of appellant heard. As per the application, since the appellant has not led any evidence in Trial Court, hence this application.

However, on bare perusal of the application, it is observed that application is vague. No ground is shown for not leading the evidence despite opportunity granted thrice and even imposition of cost by the Ld. Trial Court. Further, the application for leading evidence has been filed without any justifiable reason. It seems to be a delaying tactics. Further arguments advanced on behalf of the appellant in support of the application that he wishes to examine one of the witness of promissory note namely Subhash Lohiya was neither taken before the Ld. Trial Court nor the promissory note is in dispute. Accordingly, no ground made out warranting liberty to lead further evidence. **The application is accordingly dismissed.**

The application seeking permission to lead further evidence is accordingly, disposed off.

At this stage, submissions on the grant of interim compensation u/s 148 NI Act heard. In view of the submissions made and considering the fact that the appeal is pending since 26.04.2025 and even today, Ld. Counsel for the appellant is not willing to argue on the merits of the appeal, and since no exceptional case to decline interim compensation u/s 148 NI Act is made out, **he is directed to pay interim compensation @ 20% of the cheque amount to the respondent, herein, in compliance u/s 148 NI Act.** At this stage, ld. Counsel for the appellant undertakes to deposit the 20% of the cheque amount within 15 days from today.

Put up for arguments on the appeal as well as payment of 20% of the cheque amount on 13.04.2026.

(Ajay Garg)
Special Judge-NDPS/ASJ (South)
Saket Courts/16.03.2026