

CA No. 2115/2024

Gulbadan Panwar Vs. Rahul Kumar & Anr.

04.09.2024

Fresh appeal received by way of e-filing. It be checked & registered.

Present: Sh. Prashant Tanwar, Ld. Counsel for the appellant.

Hard copy of the present appeal filed by Ld. Counsel for the appellant. Same be taken on record.

Present appeal U/s 415(3) BNSS along with an application for condonation of delay has been filed against the judgment dated 15.07.2024 and the order on sentence dated 27.07.2024, passed by the Ms. Shubhi Gupta, Ld. JMFC (NI Act)-01, Dwarka Courts, New Delhi in CC No.14144/2020 in a case titled as '*Rahul Kumar Vs. Gulbadan Panwar*', wherein appellant was convicted for the offence punishable U/s 138 of N.I. Act and is sentenced to SI for a period of 7 days and also to pay a fine of Rs.85,000/- (Rs. Eighty Five Thousand only) to the complainant as compensation with simple interest @ 9% per annum to be calculated from the date of issuance of cheque till the date of sentence, subject to the condition that the amount shall not exceed twice of the cheque amount, within one month from the date of the order and in default of payment of fine/compensation to the complainant, the convict shall further undergo SI for a period of six months.

Ld. Counsel for the appellant has submitted that he is not pressing for the application for suspension of sentence as the appellant is already in JC in cases bearing No.1637/2021 & 8049/2021.

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Issue notice of the application for condonation of delay to the respondents on filing of PF & RC for the NDOH.

List the present appeal **for appearance of the respondents as well as for arguments on the application for condonation of delay on 24.09.2024.**

Let P/W of the appellant be issued, who is in Central Jail No.7, Tihar, Delhi for the NDOH.

(SADHIKA JALAN)
Addl. Sessions Judge (FTSC) (RC)
South West District, Dwarka Courts
04.09.2024(sb)