

ADL-20240002040C20240009
CA No. 336/2024
Kanhaiya Vs. Om Prakash Chadha
under 374 Cr.P.C/NI Act
15.11.2025

Present : Sh. Anand Srivastava, Ld. Counsel for the appellant.

Appellant is not present. However, an application seeking exemption from personal appearance has been moved on behalf of appellant Kanhaiya.

Heard. perused.

In view of the averments made in the application, the same stands disposed of as *allowed* for today only with directions to the accused to remain present before this court on NDOH.

Ms. Tara Chand Sharma, Ld. Counsel for the respondent.

Respondent Om Prakash in person.

This appeal is fixed for arguments.

However, some time has been sought to address arguments.

Time is granted in the interest of justice.

At this stage, an application for release DD deposited by the appellant in compliance of order dated 21.10.2024 has been moved on behalf of respondent. Copy of the same has been supplied to the Ld. Counsel for appellant. No submissions have been made by the Ld. Counsel for the appellant on the said application.

Otherwise separate statement of respondent has been recorded, whereby he has stated that if an adverse order is passed against him in the present appeal, then he shall return the DD

amount, if the same is released to him and violation of order, if any, passed in his favour by this court shall make him liable in accordance with law.

Heard.Perused.

For the reasons mentioned in the application as well as in the light of the statement recorded.

Application stands disposed of as *allowed*.

As a result, Ld. Trial Court is directed to release the DD bearing no.000200 amounting to Rs.1,50,000/- which is kept on its record to the respondent/complainant Om Prakash Chadha against proper receipt and due verification.

As the DD has been drawn in favour of Ld. JMFC concerned and the validity of the same has lapsed, therefore, Ld. Trial court is further directed to validate the said DD by issuing necessary directions to Bank Manager concerned for release of amount mentioned in DD to the complainant/respondent Om Prakash Chadha.

Put up now on 02.02.2026 for purpose fixed.

TCR be sent back today itself and be called before the NDOH.

VINEET KUMAR
ASJ-02/ THC/West/Delhi
15.11.2025