

Crl.A.No.5060/2026

Heard the Advocate for appellant.

Perused the Memorandum of appeal, Judgment passed in CC.No.1027/2025 dated 04.04.2026 on the file of I Addl.Civil Judge and JMFC, K R Nagara, grounds of appeal, I.A.No.I filed u/sec.430(1) of BNSS., praying this court to suspend the sentence imposed on appellant.

The Appellant has challenged the Judgment of conviction and order of sentence passed in CC.No.1027/2025 dated 04.04.2026 on the file of I Addl.Civil Judge and JMFC, K R Nagara. The trial court has convicted the appellant for the offence punishable u/sec.138 of NI Act and imposed the sentence to pay fine of Rs.7,05,000/-, in default, to undergo S.I. for a one year. If the sentence imposed against appellant is not suspended, then the very purpose of preferring appeal will be defeated. Therefore it is just and necessary to suspend the sentence imposed on accused / appellant, by imposing conditions, so that the interest of complainant can also be safeguarded. Therefore, this court proceed to pass

following;

ORDER

Pending disposal of I.A.No.I filed u/ sec. 430(1) of BNSS., execution and operation of Judgment of conviction and order of sentence passed in CC.No.1027/2025 dated 04.04.2026 on the file of I Addl.Civil Judge and JMFC, K R Nagara, is hereby suspended till further orders on following conditions ;

1. The Appellant shall appear before the trial court and execute fresh bail bond for a sum of Rs.50,000/- with one surety for the likesum to the satisfaction of Learned magistrate.
2. The Appellant shall deposit 20% of fine amount in trial court within 2 months from the date of this order.
3. The Appellant shall file affidavit on next date of hearing for having complied with above conditions.

The Office is directed to issue intimation of this order to the trial court, forthwith.

Issue notice of appeal memo and I.A.No.I to the respondent and call on by by 03.08.2026

sd/-

VIII ADJ HUNSUR

02.06.2026