

Prahlad Vs. M/s the Krishna Co-operative Urban Thrift & Credit Society Ltd.

18.03.2026

Present: Appellant in person with ld. counsel Sh P.L. Prajapati.

Heard. Record perused.

This is an appeal assailing the judgment dated 03.02.2026 whereby appellant was convicted for the offence u/s 138 of the NI Act. Vide said appeal, the appellant also takes exception to the order on sentence dated 24.02.2026 whereby he was sentenced to pay Rs. 6,29,300/-(amount of the cheque in question) which was directed to be paid to the respondent along with the interest @ 9% per annum from the date of filing of the complaint till the date of the impugned judgment(i.e. from 23.03.2018 till 03.02.2026) as compensation within 30 days. In default of fine, appellant was directed to undergo simple imprisonment for a period of six months.

The appeal is accompanied with an application u/s 389 of the Cr.P.C./430 of the BNSS seeking suspension of the sentence and grant of bail.

Considered.

In view of the submissions and contents of the application, the same is allowed. The order of sentence dated 24.02.2026 shall remain suspended till pendency of present appeal subject to appellant depositing 20% of the fine/ compensation amount(in the name of the respondent or in the name of 'ASJ-05, Central District, Tis Hazari Courts, Delhi') in the form of the FDR/DD within 60 days from today.

The appellant is admitted to bail on furnishing of PB/SB in the sum of Rs. 20,000/-. Bail bonds not furnished today and some time is sought for furnishing the same. The same be furnished within two weeks from today.

Issue notice of the present appeal to the respondent on filing of the DD/ FDR as mentioned about and on filing of PF/RC, speed post, approved courier service and all other approved modes by the appellant for the next date. At request, the process be given dasti as well.

Put up service of the respondent and reply/ arguments on the next date of hearing.

TCR be summoned by the Ahlmad at least two days prior to the next date.

Re-notify on 21.05.2026.

Dasti to all concerned.

(Bhupinder Singh)
ASJ-05, Central District
Tis Hazari Courts, Delhi
18.03.2026j