

CRA 111 Girish Dev Sharma Versus Darbara Singh

Present: Appellant on bail represented by Shri Ankit Kumar, Advocate.
Shri Naresh Kumar Garg, Public Prosecutor for respondent No.1-
State.
Shri Shubham Goyal, counsel for respondent No.2-Complainant.

Renewed/fresh Demand Draft bearing No.635656 dated
26.02.2024 amounting to ₹ 1,12,500/- has been placed on file by the
appellant/accused.

The respondent-complainant has already filed an application for
release of the demand draft.

Heard.

Sub-Section 3 of Section 148 of Negotiable Instruments Act, 1881
makes it clear that the Appellate Court may direct the release of the amount
deposited by the appellant to the complainant at any time during the pendency
of the appeal: Provided that if the appellant is acquitted, the Court can direct the
complainant to repay to the appellant the amount so released, with interest
within 60 days from the date of order. Thus, in view of the above, amount of ₹
1,12,500/- i.e. 25% of the amount of compensation is ordered to be released to
the respondent-complainant against proper receipt and identification subject to
the condition that if the appellant is acquitted, the complainant shall repay the
said amount to the appellant-accused with interest at the bank rate as published
by Reserve Bank of India, prevalent at the beginning of the relevant financial
year, within sixty days from the date of order of acquittal, if any.

Now to come up on **30.07.2024** for arguments on the merits of
the appeal.

February 27, 2024.
Ravneet

(Ved Parkash Sirohi),
Sessions Judge, Panchkula.
UID Number HR-0079