



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 198 of 2026

1 - Hemchand Sahu S/o Manharan Lal Sahu Aged About 43 Years R/o Satyam Kirana Stores, Nahar Paar, Ward No. 04, Indira Colony Balodabazar, P.S. City Kotwali, Baloda Bazar, Dist- Baloda Bazar- Bhatapara (C.G.) **... Petitioner**

versus

1 - Prakash Chandrakar S/o Late Shri Ghasiyaram Chandrakar Aged About 42 Years R/o Behind New Municipal Corporation, P.S.- City Kotwali Baloda Bazar, Dist- Baloda Bazar- Bhatapara (C.G.).

2 - State of Chhattisgarh Through Collector Baloda Bazar, Dist.- Baloda Bazar- Bhatapara (C.G.). **... Respondents**

19/03/2026	Mr. Anshit Singh Hora, counsel for the petitioner. Heard on admission. Admit. Call for records of the trial Court as also the appellate court records. Issue notice to the respondent by ordinary as well as speed post. PF be paid within one week. Also heard on IA No.01/2026 for grant of interim relief. In Complaint Case No. 690/2024, the JMFC, Baloda Bazar has passed the order dated 25.10.2025 whereby the applicant was convicted u/s 138 of NI Act and sentenced to undergo SI for 6 months and to pay a compensation of Rs.4,50,000/- with further default

stipulation. Against that order, the petitioner filed appeal.

The learned appellate Court by judgment/order dated 20.01.2026 passed in Cr.A.No.72/2025 affirmed the order of the trial Court.

On the last date of hearing i.e., 12.02.2026, this Court directed the applicant to surrender. Learned counsel submits that the applicant has surrendered on 10.03.2026 and now he is in jail.

Learned counsel for the applicant submits that there is no material on record on the basis of which the applicant's conviction can be sustained and prays that the interim application may be allowed; the applicant be released on bail and recovery of the compensation amount be suspended till final disposal of this case.

Heard counsel for the applicant and perused the record.

Considering the facts and circumstances of the case, I am inclined to allow I.A. No. 01.

Accordingly, the application is **allowed** and it is directed that the substantive jail sentence of the applicant shall remain suspended till final disposal of the instant revision and he shall be released on bail on his executing a personal bond for a sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the said court as and when directed.

So far as compensation is concerned, Considering the fact that the Cheque is dated 05.07.2024 amounting to Rs. 4,26,000/-, it is further directed that subject to the applicant's depositing 50% of the cheque amount within a period of 60 days from today the recovery of compensation amount as directed by the trial Court shall remain stayed

Rao	till the final disposal of the instant revision. After due verification, the complainant would be at liberty to withdraw the amount to be deposited by the applicant with a condition to return the said amount whenever the Court directs. Call for records of the trial Court. List this matter thereafter. Cc as per rules. Sd/- (Sanjay Kumar Jaiswal) Judge
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