



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 268 of 2026

1 - Ajay Usare S/o Late Narsingh Usare Aged About 45 Years R/o Occupation Government Employee, Rural Engineering Services Office, Nayapara, District Narayanpur Chhattisgarh.

... Applicant

versus

1 - Kuleshwar Sahu S/o Kripa Ram Sahu Aged About 37 Years R/o Police Line Quarter, Thana - City Kotwali, District Raipur Chhattisgarh.

2 - State Of Chhattisgarh Through Magistrate, Durg Chhattisgarh.

... Respondents

Order Sheet

24/02/2026	Mr. J.K. Gupta, Advocate for the Applicant. Mr. Sumit Singh, Dy. A.G. for State/respondent No. 2. Heard on admission. Admit. Issue notice to respondent No. 1 on payment of PF as per rules. Also heard on I.A. No.01/2026, application for suspension of conviction and stay the effect of impugned order. The accused/applicant has been convicted and sentenced for the offence punishable under Section 138 of NI Act by the JMFC, Raipur (C.G.)
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This petition has been filed being aggrieved by the impugned judgment dated 06.02.2026, passed by the learned 9th Additional Sessions Judge, Raipur (C.G.) in Criminal Appeal No. 53/2024, whereby the conviction of the applicant has been affirmed, however, sentence has been modified and sentenced to undergo S.I. for 3 months and a compensation of Rs. 3,60,000/- with default stipulation of 6 months S.I.

Learned counsel for the applicant submits that that there is no material on record on the basis of which the applicant's conviction can be sustained. The applicant is in jail since 06.02.2026. The conclusion of this revision petition is likely to take considerable time; therefore, the conviction of the applicant may be suspended till final disposal of this case, and he may be released on bail. He also prayed that the effect of the impugned order may also be stayed till final disposal of the case.

Heard counsel for the applicant and perused the record.

Considering the facts and circumstances of the case, and also consideration the fact that the applicant is in jail, at this stage, I am inclined to suspend the sentence.

It is directed that the substantive jail sentence of the applicant shall remain suspended till final disposal of the instant revision petition and he shall be released on bail on his executing a personal bond for a sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the trial Court for his appearance before the Registry of this Court on **15th June, 2026**. He shall

thereafter appear before the concerned trial Court on a date to be given by the Registry of this Court and thereafter, continue to appear before the trial Court on all such subsequent dates as are given to him by the said Court till disposal of this case.

It is also directed that subject to the applicant depositing 50% of the cheque amount within a period of 60 days from today the recovery of the remaining compensation amount shall remain stayed till the final disposal of the instant revision.

Accordingly, I.A. No. 01/2026 is **partly allowed** to the extent indicated herein above.

After due verification, the complainant would be at liberty to withdraw the amount 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 case thereafter.

Sd/-

(Sanjay Kumar Jaiswal)
Judge